

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9950 of 2018

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Mohd. Akrmul @ Mohd. Ekramul @ Mohammad Ekaramul Haque, Son of
Mohd. Shoaib @ Mohammad Soaib, Resident of Village- Kodriya Hatim,
P.S.- Patahi, District- East Champaran- 845430 at preset resident of Juggi No.
149/43, Gopalpur, Dr. Mukherjee Nagar, North West Delhi- 110009.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Prohibition Excise Registration Department, Government of Bihar, Patna.
2. The Principal Secretary, Prohibition Excise Registration Department, Government of Bihar, Patna.
3. The Commissioner, Prohibition Excise Registration Department, Government of Bihar, Patna.
4. The Collector, East Champaran at Motihari.
5. The Superintendent of Police, East Champaran at Motihari.
6. The District Transport Officer, East Champaran at Motihari.
7. The Superintendent of Excise, East Champaran at Motihari.
8. The Motor Vehicle Inspector, East Champaran at Motihari.
9. The Officer-in-charge P.S. Patahi, East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ramakant Yadav, Advocate
For the Respondent/s : Mr. Vivek Prasad -GP 7

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 19-06-2018

This writ petition has been filed for release of a vehicle (Silver Logan of Mahindra & Mahindra Ltd.) bearing Registration No. DL03CAS 3010, which has been seized in connection with Patahi P.S. Case No. 18 of 2018 due to violation of the provisions of the Excise Act.

It is common ground that in various cases, identical in nature, pending finalization of the confiscation/excise/criminal proceedings, vehicles have been



directed to be released by this Court on various conditions and we see no reason to make a deviation in the present case.

Keeping in view the aforesaid, it is directed that pending finalization of the confiscation/excise proceedings and/or criminal case, the vehicle in question shall be released to the petitioner on the petitioner furnishing two surety bonds to the satisfaction of District Magistrate-cum-Collector, East Champaran, Motihari and further undertaking to produce the vehicle as and when directed by the authority concerned and not to alienate or deal with the vehicle in question during the pendency of the confiscation/excise proceedings and/or criminal case so as to create third party rights or prejudice the rights of the State in the pending proceedings.

The vehicle in question be released within one week from the date of furnishing the surety bonds.

With the aforesaid, the writ petition stands allowed and disposed of.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

K.C.Jha/-

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