

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13953 of 2018

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Rahul Kumar Yadav, Son of Sadanand Yadav, Resident of Village- Damgachi,
Ward No.16, P.S.- Sour Bazar, Distt- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department,
Government of Bihar, Secretariat, Patna.
2. The Collector, Saharsa.
3. The Excise Superintendent, Saharsa.
4. The Motor Vehicle Inspector, District- Saharsa.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jai Kishor Poddar, 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 31-07-2018 This writ petition has been filed for release of a

vehicle (Motorcycle) bearing Registration No. BR 43J 4076

which has been seized in connection with Saharsa Rai P.S. Case

No. 34 of 2017 due to violation of the Bihar Prohibition and

Excise Act, 2016.

It is common ground that in various cases, identical in
nature, pending finalization of the confiscation 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 proceedings and criminal case,



the aforesaid vehicle in question shall be released to the petitioner on his furnishing two sureties to the satisfaction of District Magistrate-cum-cum-Collector, Saharsa within a period of one week from the date of his furnishing the sureties 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 proceedings and criminal case so as to cause adverse effect or prejudice to the State Government.

The valuation of the vehicle in question shall be done as per the valuation shown in the insurance document.

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

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

Sunil/-S.Shukla

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