

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.9637 of 2018**

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Umeshi Lal Nanda, son of Dineshwar Ram @ Vineshavar Ram, resident of village – Motha, P.S. + District – Arwal.

.... .... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise & Prohibition, Govt. of Bihar, Patna.
2. The District Magistrate-cum-Collector, Arwal
3. The Superintendent of Police, Arwal
4. The SHO Arwal Police Station, District – Arwal
5. The Sub-Inspector of Police cum Investigating Officer, Arwal Police Station Arwal.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar Singh

For the Respondent/s : Mr. Vikash Kumar- SC11

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**CORAM: HONOURABLE THE CHIEF JUSTICE**

**And**

**HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**

**ORAL JUDGMENT**

**(Per: HONOURABLE THE CHIEF JUSTICE)**

**Date: 17-05-2018**

This writ petition has been filed for release of a vehicle (Hero Honda Motorcycle) bearing Registration No. BR56-1746 which has been seized in connection with Arwal P.S. Case No. 101/2018 due to violation of the Excise Act. The prayer made in the writ petition is to release the vehicle in question pending finalization of the confiscation proceedings and criminal case.

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 aforesaid confiscation proceedings and criminal case, the aforesaid vehicle in question shall be released to the petitioner, on his furnishing two surety bonds to the satisfaction of District Magistrate, Arwal 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 or create a third party interest during the pendency of the confiscation proceedings and criminal case or prejudice the right of the State in confiscation proceeding. The aforesaid vehicle shall be released within one week from the date of furnishing of the sureties.

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

**(Rajendra Menon, CJ)**

**(Rajeev Ranjan Prasad, J)**

Rajeev/-

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