

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10955 of 2018

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Shailesh Kumar Yadav @ Shailesh Yadav, Son of Ram Ekbal Rai, resident
of Village- Basdila, Police Station- Kopa, District- Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department,
Govt. of Bihar, Patna, Bihar.
2. The Principal Secretary Excise Department, Govt. of Bihar, Patna,
Bihar.
3. The District Magistrate, Saran at Chapra.
4. The Superintendent of Police, Saran at Chapra.
5. The Sub-Divisional Police officer, Sadar, Saran at Chapra.
6. The S.H.O. Kopa, Saran at Chapra.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha, Advocate

For the Respondent/s : Mr. Vivek Prasad- GP7

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

**HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD**

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 26-06-2018 This writ petition has been filed for release of a
vehicle (Color Passion Pro) bearing Registration No. BR-04W-
4743, which has been seized in connection with Kopa P.S. Case
No. 130 of 2017 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, Saran at Chapra 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/- N.H.

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