

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13919 of 2018

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Gauri Mandal son of Parshuram Mandal, resident of Village-Kulkuliya, P.S.-
Kahalgaon, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Registration, Excise and Prohibition Department, Government of Bihar, Patna. null null
2. The District Magistrate cum- Collector Bhagalpur of Kahalgaon District- Bhagalpur at Kahalgaon.
3. The Superintendent of Police Bhagalpur at Kahalgaon District Bhagalpur at Kahalgaon.
4. The Excise Superintendent, Bhagalpur at Kahalgaon, District- Bhagalpur at Kahalgaon.
5. The State Head Officer, Kahalgaon Police Station, District- Bhagalpur at Kahalgaon.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Ms. Geeta Kumari Jha, Advocate
		Mr. Ashutosh Kumar, Advocate
For the Respondent/s	:	Mr. Anil Kumar Sinha – GA 1

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(Per: HONOURABLE DR. JUSTICE RAVI RANJAN)

2 08-08-2018 This writ petition has been filed for release of a
vehicle (Apache Motorcycle) bearing Registration No. BR-10Y-
4982, which has been seized in connection with Kahalgaon P.S.
Case No. 683 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 Coordinate Bench of 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, Bhagalpur at Kahalgaon 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. Valuation of the vehicle in question shall be done as per the valuation shown in the insurance documents.

The vehicle in question be released within one week from the date of furnishing the surety bonds after ascertaining that the vehicle has not been used in an identical nature of offenses at any earlier point of time.



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

(Dr. Ravi Ranjan, J)

(S. Kumar, J)

K.C.Jha/Uma/-

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