

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.14317 of 2018**

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Deonath Kumar @ Deonath Prasad Son of Late Kuldip Prasad Resident of  
Village - Bankey Bazar, P.S. - Bankey Bazar, District - Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise,  
Government of Bihar, Patna.
2. The Collector-cum-District Magistrate, Gaya, District - Gaya.
3. The Superintendent of Police, Gaya, District - Gaya.
4. The Superintendent of Excise, Gaya.
5. The Officer-In-Charge, Raushanganj Police Station District - Gaya.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Md. Javed Jafar Khan, Advocate  
For the Respondent/s : Mr. Anil Kr. Sinha - GA 1

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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                      Learned counsel for the petitioner is permitted to  
make necessary corrections in the application.

This writ petition has been filed for release of a  
vehicle (Yamaha Fazer Motorcycle) bearing Registration No.  
BR-02Z-2630, which has been seized in connection with  
Raushanganj P.S. Case No. 63 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, Gaya 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.

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

**(Rajendra Menon, CJ)**

**( Rajeev Ranjan Prasad, J)**

K.C.Jha/Uma/-

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