

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9372 of 2018

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1. Badal Devi, W/o Munna Kanjar, R/o Village- Brahampur, P.S.- Jalalpur,
District- Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar through it's Principal Secretary, Excise Department,
Bihar, Patna.
2. The Excise Commissioner, Bihar, Patna.
3. The District Magistrate Cum Collector, Saran at Chapra.
4. The Superintendent of Police Saran at Chapra.
5. The Deputy Superintendent of Police Sadar, Chapra.
6. The Officer-in-Charge Manjhi Police Station under Saran District.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Nawal Kishore 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 ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 17-05-2018 This writ petition has been filed for release of a vehicle

(Hero Honda CD 110 DX Dream Motorcycle) bearing

Registration No. BR04X-0867, which has been seized in

connection with Manjhi P.S. Case No. 62/18 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 confiscation proceedings and aforesaid 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, 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 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 of.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

Arvind/-

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