

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13294 of 2018

Manish Kumar @ Rakesh Kumar Son of Alakh Singh Resident of Village
+Post Office- Lahang Dumaria, Police Station- Bihiya, District- Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar through, the Principal Secretary, Excise Department, Bihar, Patna.
2. The District Magistrate, Bhojpur, Arrah
3. The Superintendent of Police, Jagdishpur, Bhojpur at Arrah
4. The Officer-in-Charge Police Station- Barahara, District- Bhojpur, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Arjun Prasad Singh, Advocate
		Mr. Kameshwar Singh, Advocate
For the Respondent/s	:	Mr. Vivek Prasad -GP7

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 30-07-2018 This writ petition has been filed for release of a vehicle (Hero Passion Pro) bearing Registration No. BR-01BF-7834, which has been seized in connection with Barhara (Krishnagarh) P. S. Case No. 353 of 2016 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, Bhojpur at Arrah 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. Valuation of the vehicle shall be done as per insurance document.

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

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

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