

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13855 of 2018

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Savaliya Prasad, S/o Hari Sankar Prasad, Resident of Parsagarh Bazar, P.S.-
Ekma, District- Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principle Secretary, Registration and Prohibition Department, Government of Bihar, Patna.
2. The District Magistrate, Cum Collector Saran, District Saran.
3. The Assistant Excise Commissioner, Saran, District- Saran.
4. The Superintendent of Excise, Saran, District- Saran.
5. The Superintendent of Police Saran, District- Saran.
6. The Vehicle Inspector, Saran, District Saran.
7. The Officer in charge, Manjhi P.S. District Saran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Singh, Advocate
For the Respondent/s : Mr. Vikash Kumar - SC-11

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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 This writ petition has been filed for release of a vehicle (Motorcycle) bearing Registration No. BR 04W-9349 which has been seized in connection with Manjhi P.S. Case No.88 of 2018 due to violation of the Bihar Prohibition and Excise Act, 2016.

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 criminal case, the aforesaid vehicle in question shall be released to the petitioner on his furnishing two sureties to the satisfaction of District Magistrate, Saran within a period of one week from the date of his furnishing the sureties 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 proceedings and criminal case so as to cause adverse effect or prejudice to the State Government.

The valuation of the vehicle in question shall be done as per the valuation shown in the insurance document.

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

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

Sunil/-S.Shukla

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