

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13399 of 2018

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Ramasharay Paswan, son of Yadu Paswan, resident of village Bishenpur
Narindrakhap, P.S. Kutumba, district Aurangabad ... Petitioner

Versus

1. The State Of Bihar through the Secretary Department of Excise,
Government of Bihar, Patna
 2. The District Magistrate, Aurangabad
 3. The Superintendent of Police, Aurangabad
 4. The Officer-in-Charge, Kutumba Police Station, district Aurangabad
... Respondents
- =====

Appearance :

For the Petitioner : Mr. Leelawati Kumari, Adv.
For the Respondents : Mr. Vivek Prasad -Gp7

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 16-07-2018 This writ petition has been filed for release of

Avenger motorcycle, bearing registration no. BR-26L-6765,

which has been seized in connection with Kutumba P.S. Case

No. 47 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 seen 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 cases, the aforesaid vehicle in question shall be released to the petitioner on his furnishing the two sureties to the satisfaction of the District Magistrate, Aurangabad, 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 shall be done as per the valuation shown in the insurance papers.

With the aforesaid, the writ petition stands allowed and **disposed off**.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

Shamshad/-

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