

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13823 of 2018

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Suraj Kumar Thakur @ Suraj Kumar, son of Mosafir Thakur, resident of Village Sujokarma, P.O. Ram Bilas Nagar, P.S. Bijauli, District Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary Excise Department Old Secretariat, Patna.
2. The Principal Secretary, Department of Excise, Bihar, Patna.
3. The Principal Secretary Home Police, Bihar, Patna.
4. The District Magistrate, Aurangabad, District Aurangabad.
5. The Superintendent of Police (S.P.) Aurangabad, District Aurangabad.
6. The Officer in charge, Aurangabad, District Aurangabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, 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 This writ petition has been filed for release of a vehicle (Passion Pro Motorcycle) bearing Registration No. JH 03N-8465 which has been seized in connection with Aurangabad Town P.S. Case No. 11 of 2017 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, 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 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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