

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15945 of 2018

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Rajo Chauhan, Son of Dahu Chauhan, resident of village – Durgapur
Dhachra, P.S. - Dhamaul, District – Nawada.

... .. Petitioner/s

Versus

1. The State Of Bihar through Principal Secretary, Excise Department,
Govt. of Bihar, Patna.
2. The District Magistrate, Sheikhpura.
3. The Excise Superintendent, Sheikhpura P.S. and District – Sheikhpura.
4. The Officer-in-Charge, Sheikhpura Police Station and District –
Sheikhpura.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dr. Anjani Pd. Singh, Advocate
For the Respondent/s : Mr. Vivek Prasad - GP 7

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

2 10-08-2018 Learned counsel for the petitioner is permitted to
make necessary corrections in paragraph 6 of the application.

He is permitted to do so in course of the day.

This writ petition has been filed for release of a
vehicle (Hero Glamour Motorcycle) bearing Registration No.
BR-27F-2408, which has been seized in connection with
Sheikhpura P.S. Case No. 174 of 2017 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 Coordinate Bench of 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, Sheikhpura 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. Valuation of the vehicle in question shall be done as per the valuation shown in the insurance documents.

The vehicle in question be released within one week from the date of furnishing the surety bonds.

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

(Dr. Ravi Ranjan, ACJ)

(S. Kumar, J)

K.C.Jha/Uma/-

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