

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.9416 of 2018**

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Mohammad Saleem, son of Mohammad Idris, resident of H.No.91, Dhaura  
Tanda, Ward No.7/15, P.S.-Dhaura Bareilly, U.P.

.... .... Petitioner/s

Versus

The State of Bihar & Ors

.... .... Respondent/s

=====

**Appearance :**

For the Petitioner/s : Mr. Shakil Ahmad Khan

For the Respondent/s : Mr. Vikash Kumar- Sc11

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**CORAM: HONOURABLE THE CHIEF JUSTICE**

**and**

**HONOURABLE MR. JUSTICE RAJEEV RANJAN  
PRASAD**

**ORAL ORDER**

**(Per: HONOURABLE THE CHIEF JUSTICE)**

2      17-05-2018              This writ petition has been filed for release of a vehicle  
  
Truck (Trailer) bearing Registration No. UP25AT9775, which has  
  
been seized in connection with Hathidah P.S. Case No. 91/2017  
  
due to violation of the Excise Act. The prayer made in the writ  
  
petition is to release the vehicle in question pending finalization of  
  
the confiscation proceedings and criminal case.

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 aforesaid criminal



case, the aforesaid vehicle in question shall be released to the petitioner, on his furnishing two surety bonds to the satisfaction of District Magistrate, Patna 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 or create a third party interest during the pendency of the confiscation proceedings and criminal case or prejudice the right of the State in confiscation proceeding. The aforesaid vehicle shall be released within one week from the date of furnishing of the sureties.

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

**(Rajendra Menon, CJ)**

Arvind/-

**(Rajeev Ranjan Prasad, J)**

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