

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.10883 of 2018**

=====

Sunil Kumar, son of Ram Naresh Bhagat, resident of village Haribela, P.S.  
Bathnaha, district Sitamarhi ... Petitioner

Versus

1. The State Of Bihar through the Principal Secretary, Excise Department,  
Government of Bihar, Patna  
2. The District Magistrate, Sitamarhi  
3. The Superintendent of Police, Sitamarhi  
4. The Superintendent of Excise, Sitamarhi  
5. Manish Sharaf, S.I., Excise Mobile, Sitamarhi ... Respondents

=====

**Appearance :**

For the Petitioner : Mr. Hans Lal Kumar, Adv.  
For the Respondents : Mr. Kumar Manishkumar Manish- Sc5

=====

**CORAM: HONOURABLE THE CHIEF JUSTICE**

**and**

**HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**

ORAL ORDER

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

2      09-07-2018                      This writ petition has been filed for release of vehicle  
motorcycle bearing registration no. Engine No. J2YRHD21813,  
Chassis No. MD2A158YXHRD71785 which has been seized in  
connection with G.O. Case No. 463 of 2017/717 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 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, Sitamarhi, 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.

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

**(Rajendra Menon, CJ)**

**( Rajeev Ranjan Prasad, J)**

Shamshad/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

