

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15630 of 2018

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Veena Devi, wife of Prakash Thakur, resident of village- Parsauni Dumara,
P.S. Sitamarhi, District- Sitamarhi

... .. Petitioner/s

Versus

- 1) The State Of Bihar through the Chief Secretary, Bihar, Patna
- 2) The Chief Secretary, Govt. of Bihar, Patna
- 3) The Director General of Police, Bihar, Patna
- 4) The Collector-cum-District Magistrate, Sitamarhi
- 5) The Deputy Superintendent of Police, Sitamarhi
- 6) The Excise Superintendent, Sitamarhi
- 7) The officer-in-Charge, Sub-Inspector(Excise) C. Dal, Sitamarhi, Distt.
Sitamarhi

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Devendra Kumar, Advocate

For the Respondent/s : Mr. Kumar Manish- Sc5

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date : 09-08-2018

This writ petition has been filed for release of a vehicle (Bajaj Discover Motorcycle) bearing Registration No. BR-30M-7130, which has been seized in connection with Complaint Case No. C-2/257 of 2018 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, Sitamarhi 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 after ascertaining that the vehicle has not been used in an identical nature of offenses at any earlier point of time.

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

(Dr. Ravi Ranjan, ACJ)

Sanjay/-

(S. Kumar, J)

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	16.08.2018
Transmission Date	NA

