

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15481 of 2018

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1. Chandra Prakash Tiwari, S/o Adya Prasad Tiwari, R/o Village Katiyari,
P.O. Satrao, P.S. Barhaj, Dist.Deoria (U.P.).

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Custom and Excise
Department, Government of Bihar, Patna.
2. The District Magistrate, Siwan.
3. The Superintendent of Police, Siwan, District-Siwan.
4. The District Transport Officer, Siwan, District-Siwan.
5. The Station House Officer, Police Station-Guthani, District-Siwan.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Dwivedi, Adv.

For the Respondent/s : Mr. Vivek Prasad- Gp7

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 06-08-2018 This writ petition has been filed for release of a vehicle

Splendor Pro Motorcycle bearing Registration No. UP-52AE-

0937, which has been seized in connection with Guthani P.S.

Case No. 140 of 2018 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, Siwan 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)

(Rajeev Ranjan Prasad, J)

Arvind/-

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