

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1550 of 2024

Arising Out of PS. Case No.-271 Year-2022 Thana- BARUN District- Aurangabad

1. Chandan Paswan @ Chandan Kumar Son Of Vijay Paswan Village -Mirjapur Ps- Mali, District- Aurangabad
2. Harendra Kumar Son Of Dharamdeo Singh @ Dharamdeo Singh Yadav Village- Sheetal Diha, Ps- Daud Nagar, Dist- Aurangabad
3. Mukesh Kumar Son Of Raja Ram Prasad Village- Siris, Ps- Barun, Dist- Aurangabad
4. Vishal Kumar Son Of Surendra Singh Village- Dihara, Ps- Obara, Dist- Aurangabad

... .. Petitioner/s

Versus

1. The State Of Bihar Through The Principle Secretary, Dept. Of Registration And Excise Of Bihar Bihar
2. The District Magistrate, Aurangabad Bihar, Patna Bihar
3. The Superintendent Of Police, Aurangabad, Bihar, Patna Bihar
4. The Office-Incharge Of The Barun, Ps- Aurangabad, Dist- Aurangabad Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Lalbahadur Singh
For the Respondent/s	:	Mr. G.P.5
		Mr. Iqbal Asif Niaz, AC to GP 5

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 14-07-2025 Heard the learned counsel for the petitioners and the learned counsel for the State.

2. This writ petition has been filed for the quashing the order dated 06.05.2024 passed by the Special Judge, Excise Court No.1, Aurangabad in connection with Barun P.S Case No.271 of 2022, registered for the offence under Sections 342, 343 of the I.P.C and Sections 30(a) of the Bihar Prohibition



Excise act 2018, whereby the Special Judge Excise Court No.1, Aurangabad rejected the prayer of the petitioner No.1, for release of the Passion Pro Motorcycles being Registration No.JH038174, the prayer of the Petitioner No. 2 for release of the TVS Apache Motorcycle bearing Registration No. BR2678550 and Viva Mobile No. 9636167234, the prayer of the petitioner no. 3 for release of the Royal Classic 350 Bullet Motorcycle green and black colour Chesis No.ME303S5CC11A601415 Engine No. U3SSCIJA666799 and prayer of the petitioners for the release of the Vivo Mobile No.6202511300 in favour of the petitioners and also for directing the Special Judge Excise Court No.1, Aurangabad to release the Vehicles in favour of petitioners.

3. The learned counsel for the State has submitted that the confiscation proceeding is going on.

4. In these circumstances, the petitioners are directed to participate in the confiscation proceeding and the petitioners are given liberty to file an appropriate application for interim release in the confiscating proceeding.

5. The District Magistrate, Aurangabad will pass an appropriate order in case application for interim release is filed in the confiscation proceeding.



6. With the aforesaid observation and direction, this application is disposed of.

(Sandeep Kumar, J)

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