

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.385 of 2018

Arising Out of PS.Case No. -null Year- null Thana -null District- BANKA

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1. Sikandar Pandit, Son of Ramdhani Pandit, Resident of Saona Tand, P.S.- Deoghar, District- Deoghar (Jharkhand).

.... Petitioner/s

Versus

1. The State of Bihar Through The Director General of Police, Government of Bihar, Patna.
2. The Inspector General of Police, Bihar, Patna.
3. The District Magistrate cum Collector, Banka.
4. The Superintendent of Police, Banka.
5. Superintendent of Excise, Banka.
6. The Officer in Charge, Belhar Police Station, district- Banka.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dharendra Nath Jha

For the Respondent/s : Mr. KumarManish, SC - 5

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

Date: 20-04-2018

Heard learned counsel for the petitioner and learned counsel representing the State.

Petitioner has prayed for release of the vehicle (Two Wheeler Moped) bearing registration no. JH-15P-4117 in favour of the petitioner in connection with Belhar P.S. Case no. 125/2017 for the offences under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the petitioner is ready and willing to abide by the terms and conditions which may be imposed by this Court for provisional release of the vehicle in question.

In the facts and circumstances, pending initiation or finalization of the confiscation proceeding, let the vehicle, if



belongs to the petitioner, be released provisionally on production of proof of ownership and registration of the vehicle in his favour subject to the following conditions:-

(i) Petitioner shall furnish a surety bond of Rs. 30,000/- (Thirty Thousand only) (not in form of cash or Bank guarantee) with two local sureties of the like amount to the satisfaction of the Collector-cum-District Magistrate, Banka.

(ii) Petitioner shall furnish an undertaking that he would not alienate or encumber the vehicle or deal with them adverse to the interest of the State and shall produce the vehicle before the the Collector-cum-District Magistrate, Banka, as and when directed.

(iii) A photograph of the vehicle shall be taken and panchnama be also prepared, certified and be kept on record in accordance with law.

This application is, accordingly, disposed off.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	24.04.2018
Transmission Date	24.04.2018

