

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1373 of 2018

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

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Dayvanti Devi, wife of Tuntun Saday, resident of village Bhit Bhagwanpur, P.S. –
Madhepur, District – Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar, Through The Principal Secretary, Department of
Registration, Excise And Prohibition, Government of Bihar, Patna
2. The Excise Commissioner, Bihar, Patna.
3. The State of Bihar, through the Director General of Police
4. The District Collector cum District Magistrate, Supaul
5. The Superintendent of Police, Supaul
6. The Police Station House Officer, Nirmali, District - Supaul

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Hirday Narayan Harshit

For the Respondent/s : Mr. Anil Kumar Sinha, G.A.1

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

Date: 18-05-2018

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

Petitioner has prayed for release of the vehicle
(Motorcycle H.F. DLX) bearing registration no. BR32V-2484 in
favour of the petitioner in connection with Nirmali P.S. Case No. 23
of 2018 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. 60,000/- (Sixty Thousand only) (not in form of cash or Bank guarantee) with two sureties of the like amount to the satisfaction of the Collector-cum-District Magistrate, Supaul.
- (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 Collector-cum-District Magistrate, Supaul, 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	
CAV DATE	
Uploading Date	21.05.2018
Transmission Date	21.05.2018

