

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1476 of 2018

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Sonu S/o Sri Devraj, R/o Mohalla- B1/106 ISSA NAGAR, SURA NUSSI,
P.S.- Jalandhar, Division No.-1, Jalandhar, State- Punjab.

.... Petitioner/s

Versus

1. The State of Bihar Through Its Principal Secretary Excise Department At Patna.
2. The Divisional Commissioner, Excise Department of Chapra Division, Saran at Chapra.
3. The Colector of Saran at Chapra.
4. The Superintendent of Police, Saran at Chapra.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kumar Ranjit Ranjan, Adv.

For the Respondent/s : Mr. Anil Kumar Sinha (Ga1)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD
ORAL ORDER

2 25-07-2018 Heard learned counsel for the petitioner and learned counsel representing the State.

Petitioner has prayed for release of the vehicle (Truck) bearing registration no. PB08DG-9478 in favour of the petitioner in connection with Manjhi P.S. Case No. 57 of 2018 for the offences under Section 379/420 of the Indian Penal Code and 27(b) (ii)/28 Drugs and Cosmetic Act, 1940 and 8(c)/22(c) N.D.P.S. Act.

It is alleged that the Truck in question was carrying Phenesydryl New Cough Linctuses syrup.

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 view of the views expressed by the Hon'ble



Division Bench of this Court, considering the quantity of 11,000 Bottles of 100 ml. Phensydryl New Cough Linctuses syrup recovered from the vehicle (Truck), this Court would direct release of the vehicle in question within a week on furnishing two sureties along with a bank guarantee for the value of the vehicle in question as indicated in the insurance document.

Apart from the above, the petitioner shall be obliged to submit an undertaking before the District Magistrate, Saran at Chapra that during the pendency of the confiscation proceeding he would not deal with the vehicle in question and shall not create any kind of encumbrance whatsoever and no third party right or interest shall be created. He would also undertake to produce the vehicle in question as and when required by the authority concerned.

The application stands disposed of.

(Rajeev Ranjan Prasad, J)

Arvind/R.R.Ojha/Ved

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