

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.562 of 2018

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

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Amit Kumar S/o Sudhir Kumar @ Sunil Kumar Yadav, R/o Rahar Diyara, P.S.-
Sonpur, District- Saran at Chapra.

.... Petitioner

Versus

1. The State of Bihar Through The Principal Secretary, Department of Excise, Government of Bihar, Patna.
2. The Principal Secretary, Department of Excise, Government of Bihar, Patna.
3. The District Magistrate Cum Collector , Saran at Chapra.
4. The Officer In Charge , Sonapur Police Station- Saran.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Dhananyaja Nath Tiwari

For the Respondent/s : Mr. Anil Kumar Sinha, GA-1

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

Date: 26-04-2018

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

Petitioner has prayed for release of the vehicle (Tata
Safari) bearing registration no. BR01PB-7301 in favour of the
petitioner in connection with Chapra Town P.S. Case No. 373 of 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. 7,50,000/- (Seven Lakhs and Fifty Thousand only) in form of Bank guarantee or the original title deed of an immovable property lying within the jurisdiction of the court or any other security of like nature to the satisfaction of the Collector cum District Magistrate, Saran at Chapra.

(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, Saran at Chapra, 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	28.04.2018
Transmission Date	28.04.2018

