

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Writ Jurisdiction Case No.793 of 2018**

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Rummi Mallik @ Md. Firdaus @ Md. Firdausi, son of S. Imamuddin @ Imamuddin, resident of Mohalla- Gowaltoli Lane, Near Pindar Paper, Sultanganj, Patna- 800 006, in the town and District Patna.

.... .... Petitioner

Versus

1. The State of Bihar, Through The Principal Secretary, Excise Department, Government of Bihar, Secretariat, Bihar, Patna.
2. Excise Commissioner, Excise Department, Govt. of Bihar, Patna.
3. District Magistrate/ Collector of the District, Patna.
4. Senior Superintendent of Police, Patna.
5. Superintendent of Police (West), Patna.
6. Sub Divisional Police Officer, Sadar, Patna.
7. Officer Incharge, Phulwarisharif Police Station, Patna.
8. Investigating Officer, Phulwarisharif Police Station, Patna.

.... .... Respondents

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**Appearance :**

For the Petitioner/s : Mr. Ashok Kumar

For the Respondent/s : Mr. Vivek Prasad(Gp-7)

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

2. 18-04-2018                      Heard learned counsel for the petitioner and learned counsel representing the State.

Petitioner has prayed for release of the vehicle (Honda Amaze four wheeler) bearing registration no. BR01CT-6637 in favour of the petitioner in connection with Phulwari P.S. Case No. 329/2017/Special Case No. 2419/2017 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. 7,00,000/- (Seven Lakhs only) (not in form of cash or Bank guarantee) with two sureties of the like amount to the satisfaction of learned Court below or the Collector-cum-District Magistrate, Patna, as the case may be.

(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 court below and/or the Collector-cum-District Magistrate, Patna, 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/-

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