

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.964 of 2018

Arising Out of PS.Case No. -null Year- null Thana -null District- SASARAM (ROHTAS)

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Sidhnath Singh S/o Ambika Singh, R/o Village- Nand Tola, Hurka, P.O. & P.S.-
Darihat, District- Rohtas.

.... Petitioner

Versus

1. The State of Bihar, Through The Principal Secretary, Mines And Geology Department, Government of Bihar, Patna.
2. The District Magistrate, Rohtas at Sasaram.
3. The Superintendent of Police, Rohtas at Sasaram.
4. The District Mining Officer, Rohtas at Sasaram.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwary

For the Respondent/s : Smt. Kumari Amrita, G.P.3

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

Date: 04-05-2018

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

Petitioner has prayed for release of the vehicle
(Tractor with Trailer) bearing registration no. BR-24GA-4959 in
favour of the petitioner in connection with Darihat P.S. Case
No. 100/2017 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 within a
week 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. 5,00,000/- (Five Lakhs 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, Rohtas at Sasaram.

(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, Rohtas at Sasaram, 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	07.05.2018
Transmission Date	07.05.2018

