

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.529 of 2018

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Dharmendra Kumar @ Dharmendra Kumar Yadav @ Dharmendra Kumar
S/o Jageshwar Ray @ Jageshwar Ray, R/o Village- Mahpur Basauli
(Baburam), P.S.- Bochaha, District- Muzaffarpur.

.... Petitioner

Versus

1. The State of Bihar Through The Principal Secretary, Excise Department, Government of Bihar, Patna.
2. The District Magistrate, Muzaffarpur.
3. The Senior Superintendent of Police, Muzaffarpur.
4. The Excise Suprintendent, Muzaffarpur.
5. The Office In Charge , P.S.- Ahiyapur, District- Muzaffarpur.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Respondent/s : Mr. Anil Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2. 16-03-2018

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

Petitioner has prayed for release of the
vehicle (Mahindra Bolero Pickup Van) bearing registration
no. BR06GC6437 in favour of the petitioner in connection
with Ahiyapur P.S. Case No. 10/2018 for the offences
under Section 272, 273, 420, 120B of the Indian Penal
Code and 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. 5,00,000/- (Five Lakhs 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 learned Court below or the Collector cum District Magistrate, Muzaffarpur, 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, Muzaffarpur, 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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