

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.569 of 2018

Arising Out of PS.Case No. -null Year- null Thana -null District- NALANDA (BIHARSHARIFF)

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1. Manoj Prasad @ Manoj Kumar, Son of Late Raghunandan Prasad, Resident of Village-Dhekapar P.S. Khudaganj, District Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Chief Secretary Home Department Govt. of Bihar, Patna.
3. The District Magistrate, Nalanda
4. The Director General of Police, Old secretariat, Patna.
5. The Inspector General of Police, Old Secretariat, Patna.
6. The Deputy Inspector General of Police, Old Secretariat, Patna.
7. The Superintendent of Police, Nalanda.
8. The Deputy Superintendent of Police, Nalanda.
9. The Officer-in-Charge, Khudaganj, Nalanda.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar
For the Respondent/s : Md. Nadeem Seraj, GP5

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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 (Motorcycle) bearing registration no. BR21H-1449 in favour of the petitioner in connection with Khudaganj P.S. Case No. 125/2017 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. 60,000/- (Sixty thousand 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, Nalanda.

(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, Nalanda, 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/-

(Rajeev Ranjan Prasad, J.)

AFR/NAFR	
CA V DATE	
Uploading Date	.04.2018
Transmission Date	.04.2018

