

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.1177 of 2018

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

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1. Vijay Pandey S/o Late Rupnarayan Pandey, R/o Vill.- Mubarakpur, P.S.- Chainpur O.P., District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar Through Its Principal Secretary, Department of Excise, Govt. of Bihar, Patna.
2. The District Magistrate, Saran at Chapra.
3. The Superintendent of Police, Saran at Chapra.
4. The Officer Incharge, P.S.- Rasulpur, District- Saran at Chapra.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Tiwary

For the Respondent/s : Mr. Vikash Kumar S.C.11

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL JUDGMENT

Date: 07-05-2018

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

Learned counsel for the petitioner is permitted to make necessary correction in paragraph 1 of the writ application during course of the day.

Petitioner has prayed for release of the vehicle (MAXI CAB) bearing registration no. BR-29PA-1580 in favour of the petitioner in connection with Rasulpur P.S. Case No. 13/2018 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, confiscation proceedings has yet not been initiated, 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. 3,00,000/- (Three 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 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/-

(Rajeev Ranjan Prasad, J.)

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	07.05.2018
Transmission Date	07.05.2018

