

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.620 of 2018

=====

Sikandar Kumar S/o Bhagwan Prasad, R/o Village- Juafar, P.S.- Nalanda,
District- Nalanda.

.... Petitioner

Versus

1. The State of Bihar Through The Principal Secretary, Department of Excise, Government of Bihar, Patna.
2. District Magistrate, Nalanda at Biharsharif.
3. Superintendent of Excise, Nalanda at Biharsharif.
4. S.H.O. , Biharsharif, District- Nalanda.

.... Respondents

=====

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar

For the Respondent/s : Mr. Anjani Kumar Sinha (Ga1)

=====

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 (Yamaha Motorcycle) bearing registration no.
BR21N-6532 in favour of the petitioner in connection with
Bihar P.S. Case No. 20/2018 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, 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/- (Six Thousand 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, Nalanda at Bihar Sharif, 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, Nalanda at Bihar Sharif, 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/-

U		T	
---	--	---	--

