

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Writ Jurisdiction Case No.717 of 2018**

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Rekha Devi, wife of Anand Prasad, resident of village – Muradpur, P.S. –  
Ahiyapur, District – Muzaffarpur.

.... .... Petitioner

Versus

1. The State of Bihar through Principal Secretary, Excise Department,  
Government of Bihar, Patna
2. The Principal Secretary, Home Department, Government of Bihar,  
Patna.
3. The Collector-cum-District Magistrate, Muzaffarpur, District –  
Muzaffarpur.
4. The Excise Superintendent, Muzaffarpur.
5. The Officer-in-Charge of Bochahan Police Station, Muzaffarpur.
6. Investigating Officer of Bochahan P.S. Case no. 126/16 dated 12.8.16.  
Muzaffarpur.

.... .... Respondents

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**Appearance :**

For the Petitioner/s : Mr. Rajeev Ranjan

For the Respondent/s : Mr. Vikash Kumar (SC11)

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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 Six) bearing registration no.  
BR06PB-7800 in favour of the petitioner in connection  
with Bochahan P.S. Case No. 126/2016 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. 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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