

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.2755 of 2017

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Pintu Thakur, Son of Ram Babu Thakur, resident of Village- Bastawara,
P.S.- Simri, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Excise Department,
Govt. of Bihar, Old Secretariat, Patna.
2. The District Magistrate, Madhubani.
3. The Superintendent of Police, Madhubani.
4. The District Supply Officer, Madhubani.
5. The S.H.O. (Bisfi) Madhubani, District- Madhubani.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav
For the Respondent/s : Mr. Vivek Prasad (GP-7)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 09-01-2018 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner has prayed for release of the vehicle TVS
Motorcycle bearing Reg. No. BR07AA-4207, Chasis
No.MD634BE46H2E68285, Engine No.BE4EH206907 which has
been seized by the police in connection with Bisfi P.S. Case
No.178 of 2017 for the offence under Section 290 of the I.P.C. and
Section 37(b)(c) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that no



illicit liquor has been found in the vehicle in question. The brother of this petitioner was allegedly driving the vehicle in intoxicated condition. It is also informed that no confiscation proceeding has been initiated as yet.

In the facts and circumstances, let the vehicle of the petitioner be released provisionally on production of proof of ownership and registration of the vehicle subject to the following conditions:-

(i) Petitioner shall furnish surety bond of Rs.75,000/- (seventy five thousand) (not in form of bank guarantee or cash) with two sureties of the like amount to the satisfaction of court below or the authority concerned.

(ii) The petitioner shall also give an undertaking that he will not deal with the vehicle in question and shall not alienate or encumber the same creating any kind of adverse interest against the interest of the State, he will not use the vehicle for any illegal purpose and as and when required, he will produce the vehicle in question before the competent court/authority.

(iii) A photograph of the vehicle shall be taken and



panchnama be also prepared and kept on record.

The application stands disposed of.

(Rajeev Ranjan Prasad, J)

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