

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.552 of 2018

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

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1. Dharmveer Raj S/o Raj Kumar Yadav, R/o Village- Haridaspur, P.O.-
Phurhuriya, P.S.- Paraiya, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar Through Excise Commissioner, Excise Department, Patna.
2. The District Magistrate Cum Collector, Gaya.
3. The Superintendent of Excise, Gaya.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Nikhilesh Kumar

For the Respondent/s : Mr. Vivek Prasad, GP7

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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.

Learned counsel for the State has filed counter
affidavit which is kept on record.

Petitioner has prayed for release of the vehicle (Hero Glamour) bearing registration no. BR02AH-7988 in favour of the petitioner in connection with Sherghati P.S. Case No. 580 of 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, Gaya.

(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, Gaya, 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/-

AFR/NAFR	
CAV DATE	
Uploading Date	28.04.2018
Transmission Date	28.04.2018

