

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.558 of 2018

Arising Out of PS.Case No. -null Year- null Thana -null District- VAISHALI(HAJIPUR)

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Paras Mahto son of Muneshwar Mahto, Resident of Mohalla Badi Patan Devi Colony, P.S. Alamganj, Patna - 800007.

.... Petitioner/s

Versus

1. The State of Bihar, through Principal Secretary, Prohibition, Excise and Registration Department, Govt. of Bihar, Patna.
2. The District Magistrate, Vaishali at Hajipur.
3. The Superintendent of Excise, Vaishali at Hajipur.
4. The Superintendent of Police, Vaishali at Hajipur.
5. The Officer-in- Charge of Ganga Bridge Police Station, District Vaishali.
6. Investigating Officer, Ganga Bridge P.S. Case No. 99/17, Ganga Bridge P.S., District Vaishali.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar

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

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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.

Petitioner has prayed for release of the vehicle (Honda
CB Shine motorcycle) bearing registration no. BR-01CW-7549 in
favour of the petitioner in connection with Ganga Bridge P.S. Case
No. 99/2017 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 learned Court below or the Collector-cum-District Magistrate, Vaishali at Hazipur.

(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, Vaishali at Hazipur.

(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

