

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.561 of 2018

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

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Sushil Singh @ Sushil Kumar Singh Son of Jay Kishun Singh Resident of Village-
Nirmalpur, Police Station- Ara Muffasil, District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar Through Principal Secretary Excise And Prohibition.
2. The District Magistrate, Bhojpur at Ara.
3. The Superintendent of Police, Bhojpur.
4. The Dy. Superintendent of Police, Bhojpur.
5. The S.H.O. Police Station, Barahra, Bhojpur.
6. The S.H.O. Khawaspur, O.P. Police Station - Barahra, Bhojpur.
7. The Investigating Officer, Khawaspur O.P. Police Station- Barahra, Bhojpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Umesh 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 (Passion
Pro Motorcycle) bearing registration no. BR03M-1842 in favour of
the petitioner in connection with Excise Case No. 749/2017 (Arising
out of Barahara (Khawaspur O.P.) P.S. Case No. 143/2017 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, Bhojpur at Ara.

(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, Bhojpur at Ara.

(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

