

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Writ Jurisdiction Case No.527 of 2018**

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

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Brij Kumar Kanu S/o Raghunath Prasad, R/o Kshudiram Palli, P.S.- Banarhat,  
District- Jalpaiguri (West Bangal).

.... .... Petitioner

Versus

1. The State of Bihar Through The Principal Secretary, Registration And Excise Department, Government of Bihar.
2. District Magistrate, Kishanganj.
3. D.G.P. of Bihar, Patna.
4. S.P. Kishanganj.
5. S.D.P.O. Kishanganj.
6. Superintendent of Excise Department, Kishanganj.
7. S.H.O. Bahadurganj, P.S.- Bahadurganj, District- Kishanganj.

.... .... Respondents

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**Appearance :**

For the Petitioner/s : Mr. Dilip Kumar Singh

For the Respondent/s : Mr. Anil Kumar Sinha, G.A.1

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**

**ORAL JUDGMENT**

**Date: 03-05-2018**

Heard learned counsel for the petitioner and  
learned counsel representing the State.

Petitioner has prayed for release of the vehicle  
(Scorpio) bearing registration no. BR37P-0293 in favour of the  
petitioner in connection with Bahadurganj P.S. Case No.  
78/2017 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 within a



week 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. 6,00,000/- (Six 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 Collector cum District Magistrate, Kishanganj.

(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, Kishanganj, 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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