

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Writ Jurisdiction Case No.242 of 2018**

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

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Jitendra Singh, Son of Rajdip Singh, Resident of Village- Dumari Adda, P.S.-  
Doriganja, District- Saran.

.... .... Petitioner

Versus

1. The State of Bihar.
2. The Excise Commissioner, State of Bihar, Patna.
3. Additional Commissioner, Excise State of Bihar, Patna.
4. Excise Superintendent, Saran.
5. Excise Deputy Superintendent, Saran.
6. Sub-Inspector, Excise, Saran.
7. District Magistrate, Saran.

.... .... Respondents

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**Appearance :**

For the Petitioner/s : Mr.

For the Respondent/s : Mr.

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

**Date: 20-04-2018**

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

Petitioner has prayed for release of the vehicle  
(Tata Indica) bearing registration no. JH-11B-5561 in favour  
of the petitioner in connection with Awtarnagar P.S. Case No.  
91/2017 for the offences under Section 30(a) of Bihar  
Prohibition and Excise Act, 2016. It is stated that 17.64 litres  
of liquor has been recovered.

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. 4,00,000/- (Four Lakhs 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, Saran, as the case may be.

(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, Saran, 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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| AFR/NAFR          | NAFR       |
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