

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.972 of 2018

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

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Pankaj Choudhary Son of late Mahesh Prasad Choudhary@ late Mahesh Choudhari
Resident of Village- Katoria, P.S. Katoria, District- Banka.

.... Petitioner

Versus

1. The State of Bihar Through The Principle Secretary, Department of Home, Bihar, Patna
2. The District Magistrate, Banka.
3. The Senior Superintendent of Police, Banka.
4. The S.H.O. , Chandan, Banka.
5. The Marketing Officer, Chandan, Banka.

.... Respondents

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Appearance :

For the Petitioner/s : Dr. Manoj Kumar

For the Respondent/s : Mr. M. Nasrul Huda Khan

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

Date: 04-05-2018

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

Petitioner has prayed for release of the vehicle
(Truck) bearing registration no. JH-15K-0814 in favour of the
petitioner in connection with Banka P.S. Case No. 1022A/2015
(Arising out of Chandan P.S. Case No. 45/2015 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. 15,00,000/- (Fifteen Lakhs only) (not in form of cash or Bank guarantee) with two sureties of the like amount to the satisfaction of learned S.D.J.M., Banka.

(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 learned S.D.J.M., Banka, 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	07.05.2018
Transmission Date	07.05.2018

