

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1330 of 2018

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

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Salamu Khan, son of Jabar Khan, resident of village Sarimpur (Niranjanpur), P.S. –
Buxar (Ind), District – Buxar.

.... Petitioner/s

Versus

1. The State of Bihar Through Excise Superintendent of Buxar District – Buxar.
2. The District Magistrate, Buxar
3. The Excise Sub-Inspector, Buxar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha

For the Respondent/s : Mr. Kumar Manish

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL JUDGMENT
Date: 14-05-2018

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

Petitioner has prayed for release of the vehicle
(Tata Magic) bearing registration no. UP-60T-9478 in favour of
the petitioner in connection with Excise Case No. 68(C) of
2018 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.



5,00,000/- (Five 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, Buxar.

(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, Buxar, 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	15.05.2018
Transmission Date	15.05.2018

