

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1353 of 2018

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Ram Pukar Mahto, Son of Lochan Mahto, Resident of Village- Pachaharwa,
Ward No. 06, H.No. 98, P.S.- Majorganj, District- Sitamarhi.

.... Petitioner

Versus

1. The State of Bihar, through the Principal Secretary, Excise Department, Bihar, Patna.
2. The Collector/ District Magistrate, Sitamarhi.
3. The Superintendent of Police, Sitamarhi.
4. The Excise Superintendent, Sitamarhi.
5. The Excise Inspector, Sitamarhi.
6. The Officer-in- charge, Riga P.S., Sitamarhi.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Respondent/s : Mr. Vikash Kumar (Sc11)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2. 22-06-2018

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. BR-06-GC-2465 in
favour of the petitioner in connection with Riga P.S. Case
No. 118/2018 for the offences under Section 272, 273 of the
I.P.C. and 30(a) of Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits
that total 288 liters of illicit Napali Saufi wine has been
recovered from the vehicle in question.

Learned counsel for the petitioner further
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. 3,00,000/- (Three 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 learned Court below or the Collector cum District Magistrate, Sitamarhi.

(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, Sitamarhi 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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