

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1612 of 2018

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Rajeev Kumar Singh @ Rajeev Kumar, S/o Nagendra Pd. Singh, R/o 205
G.A. Sadik Pur Yogi, West Part Chitra Gupta Nagar, P.O.- Lohia Nagar,
P.S.- Patrakar Nagar, Distt- Patna-800020.

.... Petitioner/s

Versus

1. The State of Bihar Represented Through Principal Secretary Excise
Department, Govt. of Bihar, Patna.
2. Sayaid Gyash Hadi A.S.I. Alamganj P.S., Patna.
3. Thana Incharge, Alamganj P.S., Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Tilak Sao

For the Respondent/s : Mr. Vikash Kumar

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD
ORAL ORDER

2 20-07-2018 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner has prayed for release of the vehicle Bolero
Pick Up Van bearing Reg. No. BR-01-GC-7580, which has been
seized by the police in connection with Special Case No.2498/17,
arising out of Alamganj P.S. Case No.276 of 2016, District-Patna
for the offence under Section 30(a) of the Bihar Prohibition and
Excise Act, 2016. It is alleged that 81 liters of illicit liquor have
been recovered from the vehicle in question.

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 view of the views expressed by the Hon'ble Division Bench of this Court, considering the quantity of the illicit liquor being more than 80 liters, this Court would direct release of the vehicle in question on furnishing two sureties along with a bank guarantee for the value of the vehicle in question as indicated in the insurance document. Apart from the above, the petitioner shall be obliged to submit an undertaking before the District Magistrate, Patna that during the pendency of the confiscation proceeding he would not deal with the vehicle in question and shall not create any kind of encumbrance whatsoever and no third party right or interest shall be created. He would also undertake to produce the vehicle in question as and when required by the authority concerned.

The application stands disposed of.

(Rajeev Ranjan Prasad, J)

Arvind/-

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