

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1390 of 2018

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Munna Kumar Singh S/o Kripa Shankar Singh, R/o Vill.- Biamri (Binari),
P.S.- Shahpur, District- Bhojpur (Aara).

.... Petitioner

Versus

1. The State of Bihar, Through Principal Secretary, Prohibition, Excise And Registration Department, Govt. of Bihar, Patna,
2. The District Magistrate, Bhojpur, Aara.
3. The Superintendent of Excise, Bhojpur , Aara.
4. The Superintendent of Police, Bhojpur, Aara.
5. The Officer In Charge of Shahpur Police Station, District- Bhojpur, Aara.
6. Investigatin Officer, Shahpur, P.S.- Case No.79/18, Shahpur, P.S., District- Bhojpur (Aara).

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar

For the Respondent/s : Mr. Vikash Kumar (Sc-11)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2. 24-07-2018

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

Petitioner has prayed for release of the vehicle
(Passion Pro Motorcycle) bearing registration no. BR-03R-5742 in
favour of the petitioner in connection with Shahpur P.S. Case No.
79 of 2018 for the offences under Section 30(a)(b)(c) 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 within a week 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. 50,000/- (Fifty Thousand 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, Bhojpur at Ara.

(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, Bhojpur at Ara, 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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