

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.2194 of 2018

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Suresh Sah S/o Late Bhola Sah, R/o Mohalla- Chand Saraiya, Piprakothi,
Ward No. 6, P.S.- Piprakothi, District- East Champaran.

.... Petitioner

Versus

1. The State of Bihar Through Principal Secretary, Department of Excise
And Prohibition, Government of Bihar, Old Secretariat, Patna.
2. The District Magistrate, Motihari, East Champaran.
3. The Superintendent of Police, Motihari, East Champaran.
4. The Superintendent of Excise, Motihari, East Champaran.
5. The Officer In Charge, Excise Motihari, East Champaran.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD
ORAL ORDER

- 3 01-11-2018 It appears that in the writ application there was also a prayer for release of the seized amount of Rs.35,200/- in favour of the petitioner but while passing the impugned order dated 26.09.2018 in the operative part of the order, the direction to release the cash amount could not be mentioned. The operative part of the order dated 26.09.2018 is modified to the extent that apart from the release of the vehicle in question on the petitioner's complying with the conditions mentioned in the order, the cash amount of Rs. 35,200/- shall also be released in favour of the petitioner after preparing a *Panchnama* in which the denominations and value of the notes will be duly mentioned and



the same shall be certified by the petitioner. A copy of the *Panchnama* shall be kept on the record in the trial court as secondary evidence which shall not be questioned by the petitioner in course of trial.

The order dated 26.09.2018 be read along with the present order.

(Rajeev Ranjan Prasad, J)

R.R.Ojha/Ved/-

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