

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.1099 of 2018

Arising Out of PS.Case No. -null Year- null Thana -null District- SASARAM (ROHTAS)

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Vijay Kumar Singh @ Vijay Singh S/o Ram Naresh Singh @ Ram Naresh, R/o Vill.- Mukundipur Kewtahi, P.S.- Mehrua, District- Ambedkar Nagar, Uttar Pradesh.

.... Petitioner

Versus

1. The State of Bihar.
2. The Principal Secretary, Mines and Geology Department, Government of Bihar, Patna.
3. The Superintendent of Police, Rohtas at Sasaram.
4. The Mines Inspector, Department of Mines and Geology, Rohtas at Sasaram.
5. The Police Inspector, Sasaram (Town), Rohtas at Sasaram.
6. The Police Sub Inspector, Sasaram (Darigawan), Rohtas at Sasaram.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Vipin Kumar Singh

For the Respondent/s : Mr. Md. Raisul Haque, S.C.10

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

Date: 09-05-2018

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

Petitioner has prayed for release of the vehicle (Truck) bearing registration no. UP-42AT-2211 in favour of the petitioner in connection with Sasaram (Darigawan) P.S. Case No. 343/2018 for the offences under Section 40(1) of Bihar Mines Act, 1972.

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. 15,00,000/- (Fifteen Lakhs only) (not in form of cash or Bank guarantee) with two local sureties of the like amount to the satisfaction of Collector-cum-District Magistrate, Rohtas at Sasaram.
- (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, Rohtas at Sasaram, 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	11.05.2018
Transmission Date	11.05.2018

