

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.632 of 2018

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Devendra Ray, Son of Harinandan Ray, Resident of Village- Terasiya, P.S.-
Gangabridge, District- Vaishali.

.... Petitioner

Versus

1. The State of Bihar through Principal Secretary, Excise Department, Government of Bihar, Patna.
2. The Principal Secretary, Home Department, Government of Bihar, Patna.
3. The Collector-cum-District Magistrate, Vaishali, District- Vaishali.
4. The Officer-in-Charge of Sadar Police Station, Vaishali, District- Vaishali.
5. The Investigating Officer of Vaishali Sadar P.S. case no. 567/17, Distt- Vaishali.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan

For the Respondent/s : Mr. Vivek Prasad (Gp-7)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2. 16-03-2018

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

Petitioner has prayed for release of the
vehicle (Maruti Vitara Briza ZDI) bearing registration no.
BHR-31F-8316 in favour of the petitioner in connection
with Hajipur Sadar P.S. Case No. 567/2017 for the
offences under Section 30(a) 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
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. 10,00,000/- (Ten Lakhs 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, Vaishali, as the case may be.

(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, Vaishali, 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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