

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.582 of 2018

Arising Out of PS.Case No. -null Year- null Thana -null District- MADHUBANI

=====

Chandrika Chaudhary, Son of Late Dhorai Chaudhary @ Late Dhodhai Chaudhary,
Resident of Village-Barri Behta, Ward No.7, P.S.-Pupari, District-Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar, Through The Principal Secretary, Department of Excise And Prohibition, Govt. of Bihar, Patna
2. The District Magistrate, Madhubani.
3. The Superintendent of Police, Madhubani.
4. The Officer-in-Charge, Madhawapur, District-Madhubani.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha

For the Respondent/s : Mr. Vikash Kumar, S.C.11

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

Date: 26-04-2018

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

Petitioner has prayed for release of the vehicle (Hero
HMLHF Delux Motorcycle) bearing registration no. BR30K-4831 in
favour of the petitioner in connection with Madhawapur P.S. Case No.
88/2017 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. 60,000/- (Sixty Thousand only) (not in form of cash or Bank guarantee) with two sureties of the like amount to the satisfaction of the Collector-cum-District Magistrate, Madhubani.

(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, Madhubani.

(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	28.04.2018
Transmission Date	28.04.2018

