

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.614 of 2018

=====

Vijay Kumar S/o Hira Lal, R/o Village- Tarsan, P.O.- Kharaunadih, P.S.-
Kudhani, District- Muzaffarpur.

.... Petitioner

Versus

1. The State of Bihar, Through The Principal Secretary, Department of Excise, Government of Bihar, Patna.
2. District Magistrate , Muzaffarpur.
3. Superintendent of Excise, Muzaffarpur.
4. Sub Inspector of Excise, Muzaffarpur.

.... Respondents

=====

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan

For the Respondent/s : Mr. Vikash Kumar (Sc11)

=====

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 (Bolero Pickup) bearing registration no. BR06GB-
1363 in favour of the petitioner in connection with PR.
38/17-18/Excise-305/17 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. 5,00,000/- (Five Lakhs only) in form of Bank guarantee or the original title deed of an immovable property lying within the jurisdiction of the court or any other security of like nature to the satisfaction of the learned Court below or the Collector cum District Magistrate, Muzaffarpur, 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, Muzaffarpur, 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/-

U		T	
---	--	---	--

