

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1327 of 2018

Arising Out of PS. Case No.-162 Year-2017 Thana- SARAI RANJAN District- Samastipur

Gulab Kumar Thakur, S/o Ravindra Kumar Thakur, Resident of Village-
Tishwara, P.S.- Harilochanpur, P.S.- Sarairanjan, Distt.- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar, through Secretary, Prohibition, Excise and Registration Department, Government of Bihar, Patna.
2. The District Magistrate, Samastipur.
3. The Superintendent of Excise, Samastipur.
4. The Superintendent of Police, Samastipur.
5. The S.H.O. Sarairanjan Police Station, Distt.- Samastipur.
6. The Investigation Officer of Sarairanjan, P.S. Case No. 162/2017 Distt.- Samastipur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Surya Narayan Roy
For the Respondent/s	:	Mr. Vikash Kumar (Sc11)

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 25-07-2018 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner has prayed for release of the vehicle Hero
Hunk Motorcycle bearing temporary Reg. No. BR33 T 8646
Chasis No. MBLKC13ELHHA0032 Engine No. KCI 13
GHHA00018, which has been seized by the police in connection
with Sarairanjan P.S. Case No. 162 of 2017, District-
Samastipur for the offence under Section 30(a) (38 (1) (41 (1) of
the Bihar Prohibition and Excise Act, 2016. It is alleged that 180
ml. of illicit liquor have been recovered from the vehicle in
question.



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 view of the views expressed by the Hon'ble Division Bench of this Court, considering the quantity of the illicit liquor being less than one liter, this Court would direct release of the vehicle in question on furnishing two sureties for the value of the vehicle in question as indicated in the insurance document. Apart from the above, the petitioner shall be obliged to submit an undertaking before the District Magistrate, Samastipur that during the pendency of the confiscation proceeding he would not deal with the vehicle in question and shall not create any kind of encumbrance whatsoever and no third party right or interest shall be created. He would also undertake to produce the vehicle in question as and when required by the authority concerned.

The application stands disposed of.

(Rajeev Ranjan Prasad, J)

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