

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1313 of 2018

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

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Sanjay Kumar Sah @ Sanjay Gupta @ Jangali, son of Late Bhagwan Sah, R/o
village – Maliyabagh, P.S. – Dawath, District – Rohtas.

.... Petitioner

Versus

1. The State of Bihar, through the Principal Secretary, Mines and Geology
Department, Government of Bihar, Patna
2. The District Magistrate, Rohtas
3. The Superintendent of Police, Rohtas
4. The Circle Officer, Dawath District – Rohtas
5. The SHO, Dawath Police Station, District - Rohtas

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar

For the Respondent/s : Mr. Gyan Prakash Ojha, G.A.7

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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 Lorry) bearing registration no. JH10T-7984 in favour of
the petitioner in connection with Dawath P.S. Case No.
23/2018 for the offences under Section 379/34 of the Indian
Penal Code and Rule 40(i) (vii) of the Bihar Minor Mineral
Rules, 2017.

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. 15,00,000/- (Fifteen Lakhs 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, Rohtas.

(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, 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

