

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.548 of 2018

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

=====

Mukesh Kumar Singh S/o Brij Mohan Singh, R/o Village- Suhi, P.S.- Deo, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar Through The Principal Secretary, Excise Department, Govt. of Bihar, Patna.
2. The District Magistrate , Patna, District- Aurangabad.
3. The Senior Superintendent of Police, Aurangabad.
4. The Officer Incharge, Police Station- Rishiyap, District- Aurangabad.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Respondent/s : Mr. Vivek Prasad, GP7

=====

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
(Maruti Suzuki Car) bearing registration no. JH01AL-8923 in
favour of the petitioner in connection with Rishiyap P.S. Case No.
78/2017 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. 2,50,000/- (Two Lakhs Fifty 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, Aurangabad.

(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, Aurangabad, 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	28.04.2018
Transmission Date	28.04.2018

