

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.878 of 2018

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

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Muneshwar Ram, Son of Yogi Ram, Resident of Village- Chakrami, P.S.- Bihpur
(Bhawanipur O.P.), District- Bhagalpur.

.... Petitioner

Versus

1. The State of Bihar Through The Principal Secretary, Department of Excise, Govt. of Bihar, Patna.
2. The District Magistrate-cum-Collector, Bhagalpur.
3. The Senior Superintendent of Police, Bhagalpur.
4. The Officer In-charge, Sanhaura Police Station, District- Bhagalpur.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar

For the Respondent/s : Mr. Anil Kumar Sinha, G.A.1

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL JUDGMENT

Date: 27-04-2018

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

Petitioner has prayed for release of the vehicle
(Bolero) bearing registration no. BR10/P4425 in favour of the
petitioner in connection with Sanhaura P.S. Case No. 148/2016
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 within a week 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 Collector cum District Magistrate, Bhagalpur.

(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, Bhagalpur, 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	NAFR
CAV DATE	NA
Uploading Date	01.05.2018
Transmission Date	01.05.2018

