

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1302 of 2018

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Uday Kumar son of Late Shaymdeo Saw Resident of Village/Mohalla Jora Phatak Dhanbad, P.S. Dhansari, District Dhanbad (Jharkhand).

.... Petitioner

Versus

1. The State of Bihar, through Principal Secretary, Prohibition, Excise And Registration Department, Govt. of Bihar, Patna.
2. The District Magistrate, Patna.
3. The Superintendent of Excise, Patna.
4. The Senior Superintendent of Police, Patna.
5. The Officer-in-charge of Gopalpur Police Station, District Patna.
6. Investigating Officer, Gopalpur P.S. Case No. 107/17, Gopalpur P.S., District Patna.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar

For the Respondent/s : Mr. Kumar Manish (SC 5)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL JUDGMENT

Date: 08-05-2018

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

Petitioner has prayed for release of the vehicle (Indigo ECS Car) bearing registration no. JH01A2-2430 in favour of the petitioner in connection with Special Case No. 3602 of 2017 arising out of Gopalpur P.S. Case No. 107/2017 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 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) (not in form of cash or Bank guarantee) with local two sureties of the like amount to the satisfaction of the Collector-cum-District Magistrate, Patna.

(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, Patna, 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/-

(Rajeev Ranjan Prasad, J.)

AFR/NAFR	
CAV DATE	
Uploading Date	09.05.2018
Transmission Date	09.05.2018

