

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1281 of 2018

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Ganesh Sah @ Ganesh Shah, son of Chhangur Shah, resident of village-
Songadha, P.O.- Gounauli, Police Station- Valmkinagar, District- West
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise & Prohibition
Department, Government of Bihar, Patna.
2. The Excise Commissioner, Bihar, Patna.
3. The District Magistrate, West Champaran at Bettiah.
4. The Superintendent of Police, West Champaran at Bettiah.
5. The Superintendent of Excise, West Champaran at Bettiah.
6. The S.H.O. Laukariya Police Station, District- West Champaran.
7. The Assistant Sub-Inspector of Police, Laukariya Police Station,
District- West Champaran.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate

For the Respondent/s : Mr. Anil Kumar Sinha (GA1)

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD**

ORAL ORDER

2 07-05-2018 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner has prayed for release of the vehicle
(T.V.S. Motorcycle) bearing registration no. BR22V-7594 in
favour of the petitioner in connection with Laukariya P.S. Case
No.118 of 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. 60,000/- (Rupees sixty thousand only) (not in form of cash or Bank guarantee) with two sureties of the like amount to the satisfaction of learned Court below or the Collector-cum-District Magistrate, West Champaran at Bettiah, as the case may be.

(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 court below and/or the Collector-cum-District Magistrate, West Champaran at Bettiah, 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)

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