

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1304 of 2018

Arising Out of PS.Case No. -null Year- null Thana -null District- VAISHALI(HAJIPUR)

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1. Kundan Kumar, son of Ram Vinesh Ray, resident of Village- Sultanpur, Police Station- Desari, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary, Food and Consumer Protection Department, Government of Bihar, Patna.
2. The District Magistrate cum Collector, Vaishali at Hajipur.
3. That Senior Superintendent of Police, Vaishali at Hajipur.
4. The Sub Divisional Officer, Mahnar, Vaishali.
5. The Block Supply Officer, Mahnar, Vaishali.
6. The Officer-in- Charge, Mahnar Police Station, Vaishali.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha

For the Respondent/s : Mr. Arvind Ujjwal, S.C.4

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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 (Motorcycle) bearing registration no. BR-31X-7077 in favour of the petitioner in connection with Mahnar P.S. Case No. 178/2017 for the offences under Section 7 of the Essential Commodities Act.

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/- (Sixty 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, Vaishali at Hajipur.

(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, Vaishali at Hajipur, 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

