

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.1377 of 2018

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

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Amit Kumar, S/o Sri Mahesh Yadav, At present resident of C-2/856, Sector- 27, Selment Colony, Rohini P.S.- Sahabad Dairy, New Delhi 11008 permanent resident of Village- Pipra, P.S. Ghoraiya, Banka, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Excise, Government of Bihar, Patna.
2. The Collector-cum- District Magistrate, Patna Director, General of Police, Bihar, Patna.
3. The Excise Superintendent, Patna Bihar
4. The Officer-In- Charge, Khagaul Police Station, District Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL JUDGMENT

Date: 03-07-2018

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

Petitioner has prayed for release of the vehicle (Truck bearing registration no. DL01M2943 Model TATA 1109 EX BSIII in favour of the petitioner in connection with Khagaul P.S. Case No.63 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 if the vehicle has not been auction sold subject to the following conditions:-

(i) Petitioner shall furnish a surety in form of a 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 learned Court below or the Collector cum District Magistrate, Patna 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, 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 Ranjan Prasad, J)

N.H./-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	06-07-2018
Transmission Date	06-07-2018

