

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.2732 of 2018

Arising Out of PS. Case No.-195 Year-2018 Thana- RAJGIR District- Nalanda

Sonu Kumar Son of Satendra Singh At presently Resident of Rahul Kumar
Bank Road Goal Ghar Opp.Tara Hospital,P.S.Gandhi Maidan,Dist.-Patna

... .. Petitioner/s

Versus

1. The State of Bihar Through The Principal Secretary, Registration, Excise And Prohibition Department, Govt. of Bihar, Patna
2. The Director General of Police, Government of Bihar, Patna
3. The District Magistrate, Nalkanda
4. The Superintendent of Police, Nalanda
5. The Station House Officer, Rajgir Police Station, Patna

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kant
For the Respondent/s : Mr. Anil Kumar Sinha (Ga1)

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 02-11-2018 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner has prayed for provisional release of the vehicle (Motorcycle) bearing registration no. BR21E-2909, which has been seized by the police in connection with Rajgir P. S. Case No. 195 of 2018 for the offence under Sections 30(a), 37 (b) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that there is no recovery of illicit liquor from the vehicle in question. It is submitted that no confiscation proceeding is pending in respect of the vehicle in question.

Considering the facts and circumstances of the case



and also the judgment of the Hon'ble Division Bench in the case of **Diwakar Kumar Singh Vs. The State of Bihar through the Principal Secretary, Excise Department & Ors.** reported in **2018 (3) PLJR 403**, the court below is directed to release the vehicle in question forthwith in favour of the petitioner within a week after submission of the document showing the ownership of the vehicle and registration certificate in the name of petitioner.

Since nothing has been recovered from the vehicle, there is no question of submission of any surety bond in view of the judgment of the Hon'ble Division Bench of this Court.

This application stands disposed off, accordingly.

(Rajeev Ranjan Prasad, J)

avin/-

U		T	
---	--	---	--

