

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.948 of 2018

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

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Pramod Kumar Sah @ Munna Sah S/o Late Yogendra Sah, @ Shri Y. Pd. Sah, R/o Village- Kishunpur, P.S.- Bheldi, District- Chapra.

.... Petitioner

Versus

1. The State of Bihar, Through The Secretary Prohibition, Excise And Registration Department, Government of Bihar, Patna.
2. The Excise Commissioner, Prohibition, Excise and Registration Department, Government of Bihar, Patna.
3. The District Magistrate, Chapra at Saran.
4. The Superintendent of Police, Chapra at Saran.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Tiwary

For the Respondent/s : Mr. Anil Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

Date: 04-05-2018

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-06AT-8276 in favour of the petitioner in connection with Derni P.S. Case No. 107 of 2017 for the offences under Sections 272, 273 of the Indian Penal Code and 30, 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/- (Sixty Thousand only) in form of 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 Collector cum District Magistrate, Chapra at Saran.

(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, Chapra at Saran, 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.)

Rajeev/-

AFR/NAFR	
CAV DATE	
Uploading Date	07.05.2018
Transmission Date	07.05.2018

