

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.2594 of 2017

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Urmila Devi wife of Late Ram Devan Rai Resident of Priya Apartment,
Arya Kumar Road, Dinkar Chowk, P.S. Kadamkuan, District Patna.

.... Petitioner/s

Versus

1. Union of India, through Narcotic Control Bureau, Patna.
2. The State of Bihar through Principal Secretary, Home Department, Bihar,
Patna.
3. The Director General of Police, Bihar, Patna.
4. The Senior Superintendent of Police, Patna.
5. The Officer-in-Charge of Alamganj Police Station, District Patna.
6. Investigating Officer, Alamganj P.S. Case No. 386/17, Alamganj, P.S.,
District Patna.
7. Kaushlendra Kumar, S.I.-cum-Area Officer, Traffic Control, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar
For the Respondent/s : Mr. Sheo Shankar Prasad(SC-8)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 08-01-2018 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner has prayed for release of the vehicle Bus
bearing Reg. No. BR31PA 2620 which has been seized by the
police in connection with Alamganj P.S. Case No.386 of 2017 for
the offence under Sections 20/22 of the NDPS Act.

It is alleged that 15 Kg. 200 gram of ganja was



recovered from one of the bags kept in the dickey of the bus.

Learned counsel for the petitioner relies upon a Division Bench order of this Court passed in L.P.A. No.1647 of 2015 and submits that the petitioner is ready and willing to abide by the terms and conditions which may be imposed by this Court.

Let the vehicle of the petitioner be provisionally released on production of proof of ownership and registration of the vehicle subject to the following conditions:-

- (i) Petitioner shall furnish surety bond of Rs.17,00,000/- (seventeen lacs) (not in form of bank guarantee or cash) with two sureties of the like amount to the satisfaction of court below or the authority concerned.
- (ii) Petitioner shall furnish an undertaking not to alienate or encumber the vehicle or deal with it adverse to the interest of the State and produce it before the competent authority/court as and when required.
- (iii) A photograph of the vehicle shall be taken and panchnama be also prepared and kept on record.

It shall be subject to result of the decision in LPA No.1647 of 2015 where a question as to whether an executive can



pass an order of confiscation is pending consideration.

The application stands disposed of.

(Rajeev Ranjan Prasad, J)

Arvind/-

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