

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.402 of 2018

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

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1. Dheeraj Kumar aged about 21 years, S/o Kamlesh Sharma, resident of At Dumree, P.S.- Ghoshi, District- Jehanabad. At present residing at East Indira Nagar Road No. 2, P.S.- Kankerbagh, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise and Prohibition.
2. The Collector, Patna.
3. The Senior Superintendent of Police, Patna.
4. The Superintendent of Police, Patna.
5. The Officer Incharge Kankerbagh, Police Station.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shashi Shekhar Kumar

For the Respondent/s : Mr. Vikash Kumar

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL JUDGMENT

Date: 20-04-2018

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

Petitioner has prayed for release of the vehicle (Tata Manza Car) bearing registration no. BR01AX-8330 in favour of the petitioner in connection with Kankarbagh P.S. Case No. 901/2017 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 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. 5,00,000/- (Five Lakhs only) in form of Bank guarantee or the original title deed of an immovable property lying within the jurisdiction or any other security of like nature to the satisfaction of 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 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.)

Rajeev/-

AFR/NAFR	NAFR
CAV DATE	NA
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