

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.534 of 2018

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Dilip Yadav Son of Kailash Yadav Resident of Village- Kharhari, P.S.
Muffasil in the District of Gaya.

.... Petitioner

Versus

1. The State of Bihar Through Principal Secretary, Excise Department,
Government of Bihar, Patna
2. The Director General of Police, Bihar, Patna.
3. The Collector, Gaya.
4. The Sub Divisional Officer, Gaya.
5. The Senior Superintendent of Police, Gaya.
6. The Excise Superintendent, Gaya.
7. The Station House officer, Wazirganj, Gaya.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Braj Nandan Kumar Tiwary

For the Respondent/s : Mr. Vivek Prasad (Gp-7)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2. 26-02-2018

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-
02W/7019 in favour of the petitioner in connection with
Wazirganj P.S. Case No. 383/2017 for the offences under
Sections 272, 273 and Section 30(a) of Bihar Prohibition
and Excise Act, 2016. It is alleged that 13 litres of Mahua
desi wine was recovered from the vehicle in question.

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. 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 learned Court below or the Collector cum District Magistrate, Gaya, 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, Gaya, 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/-

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