

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.627 of 2018

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Indrajeet, S/o Sri Keta @ Keta Prasad, R/o Village- Tenua @ Tendua, P.S.-
Raipur, District- Sonbhadra (U.P.).

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary of Forest Department,
Bihar At Patna.
2. The District Magistrate, Kaimur at Bhabua.
3. The Superintendent of Police, District Kaimur at Bhabua.
4. The District Forest Officer, Kaimur at Bhabua.
5. The Divisional forest Officer, Forest Division, Kaimur at Bhabua.
6. The Officer In Charge of Police Station, Adhaura, District- Kaimur at
Bhabua.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh

For the Respondent/s : Mr. Sarvesh Kumar Singh (AAG-13)

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD**

ORAL ORDER

2 26-04-2018 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner has prayed for release of the vehicle Pick-up
Van bearing Reg. No. UP-64H/1454, which has been seized by the
police in connection with Forest Case No.92 of 2016, District-
Kaimur at Bhabua for the offence under Sections 33/41 of Indian
Forest Act, 1927.

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.

Considering the facts and circumstances, pending initiation or finalization of the confiscation proceeding, let the vehicle of the petitioner be released provisionally within one week from the date of production of proof of ownership and registration of the vehicle in favour of the petitioner subject to the following conditions:-

(i) Petitioner shall furnish surety bond of Rs.4,00,000/- (four lakhs) (not in form of bank guarantee or cash) with two local sureties who reside within the jurisdiction of the authority concerned to the satisfaction of the authority concerned.

(ii) The petitioner shall also give an undertaking that he will not deal with the vehicle in question and shall not alienate or encumber the same creating any kind of adverse interest against the interest of the State, he will not use the vehicle for any illegal purpose and as and when required, he will produce the vehicle in question before the competent court/authority.

(iii) At the time of release, the concerned



authority/court shall get prepared a photograph duly certified in presence of the petitioner and panchnama of the vehicle in question shall also be prepared and keep the same on record which may be used as secondary evidence.

(iv) Petitioner shall undertake not to challenge the said photograph and panchnama so prepared in his presence at the time of release of vehicle in question for use in course of trial or the confiscation proceeding, as the case may be.

The application stands disposed of.

(Rajeev Ranjan Prasad, J)

Arvind/-

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