

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1323 of 2018

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

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Khusboo Kumari, D/o Krishna Kumar @ Krishna Ram, W/o Sanjeet Ram @ Sanjeet Kumar Ram, R/o village – Basudev Patti, P.S. & P.S. – Saraiya, District – Muzaffarpur, presently at village – Dayalpur, P.S. – Rajapakar, District – Vaishali.

.... Petitioner

Versus

1. The State of Bihar, Through The Principal Secretary, Department of Excise
2. The District Magistrate cum District Collector, Muzaffarpur.
3. The Superintendent of Police, Muzaffarpur.
4. The Excise Superintendent, Muzaffarpur.
5. The State House Officer, Saraiya
6. The Investigating Officer of Saraiya P.S. Case No. 58/2018.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Kaushal Kishore
For the Respondent/s : Mr. Vivek Prasad

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

Date: 14-05-2018

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

Petitioner has prayed for release of the vehicle (Honda Shine Motorcycle) bearing registration no. BR31R-0169 in favour of the petitioner in connection with Saraiya P.S. Case No. 58/2018 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 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) (not in form of cash or Bank guarantee) with two sureties of the like amount to the satisfaction of the Collector-cum-District Magistrate, Muzaffarpur.

(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, Muzaffarpur, 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	15.05.2018
Transmission Date	15.05.2018

