

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1591 of 2018

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Om Yadav, S/o Gajendra Yadav, resident of Village- Chhandi Ashthan,
Jamahra, P.S.- Sonbarsha, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar through the Superintendent of Police, Khagaria.
2. The District Magistrate, Khagaria.
3. The Superintendent of Police, Khagaria.
4. The Station House Officer, Mansi Police Station/ Special Police Station,
District- Khagaria.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Yadav, Adv.

For the Respondent/s : Mr. Sheo Shankar Prasad (Sc 8)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD

ORAL ORDER

2 25-07-2018 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner has prayed for release of the vehicle Hero
Honda Motor Bike bearing Reg. No. BR19J-6489, which has been
seized by the police in connection with Mansi P.S. Case
No.180/2017/Special Case (N.D.P.S) Case No.12 of 2017,
District-Khagaria for the offence under Sections 8/20 (b) (ii) (B)
of the N.D.P.S Act. It is alleged that 10 K.G of Ganja have been
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 view of the views expressed by the Hon'ble Division Bench of this Court, considering the quantity of the Ganja being 10 KG, this Court would direct release of the vehicle in question on furnishing two sureties along with a bank guarantee for the value of the vehicle in question as indicated in the insurance document. Apart from the above, the petitioner shall be obliged to submit an undertaking before the District Magistrate, Khagaria that during the pendency of the confiscation proceeding he would not deal with the vehicle in question and shall not create any kind of encumbrance whatsoever and no third party right or interest shall be created. He would also undertake to produce the vehicle in question as and when required by the authority concerned.

The application stands disposed of.

(Rajeev Ranjan Prasad, J)

Arvind/R.R.Ojha/Ved

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