

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.124 of 2018

=====

Md. Sabbir, S/o–Md. Israil, R/o Baduhar Majdiya, P.S.–Kursela, Dist. Katihar
..... Petitioner

Versus

1. The State of Bihar, through the Principal Secretary, Excise
Department, Patna, Bihar
 2. The District Magistrate, Katihar
 3. The Superintendent of Police, Katihar
 4. The S.H.O. Falka, Pothia, P.S.- Katihar. Respondents
- =====

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh
For the Respondent/s : Mr. Kumar Manish

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2. 09-03-2018 Heard learned counsel for the petitioner and

learned counsel representing the State.

Petitioner has prayed for release of the vehicle
(Hero Passion Pro Motorcycle) bearing registration no. BR-
39N-0722 in favour of the petitioner in connection with Pothia
P.S. Case No. 191/2017 for the offences under Section 272, 273
of the Indian Penal Code and Section 30(a)30(b) 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. 60,000/- (Sixty Thousand only) with two sureties of the like amount each to the satisfaction of the learned Court below or the Collector cum District Magistrate, Katihar 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, Katihar, 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/-

U		T	
---	--	---	--

