

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.484 of 2018

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

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Deepak Rai @ Deep Narayan Rai S/o Bindeshwari Rai, R/o Village- Dahiyawa,
Dargah, P.S.- Chapra Town, District- Saran.

.... Petitioner

Versus

1. The State of Bihar Through The Principal Secretary, Registration Excise & Prohibition Department, Govt. of Bihar, Patna.
2. The District Magistrate Cum Collector, Saran, District- Saran (Bihar).
3. The Assistant Excise Commissioner , Saran District- Saran (Bihar).
4. The Superintendent of Excise, Saran, District- Saran (Bihar).
5. The Superintendent of Police, Saran, District- Saran (Bihar).
6. The Vehicle Inspector, Saran, District- Saran (Bihar).

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Singh

For the Respondent/s : Mr. Vikash Kumar, S.C.11

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL JUDGMENT

Date: 26-04-2018

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

Petitioner has prayed for release of the vehicle
(Motorcycle) bearing registration no. BR04K-1692 in favour of
the petitioner in connection with Chapra Town P.S. Case No.
453/2017 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 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, Saran.

(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, Saran, 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	28.04.2018
Transmission Date	28.04.2018

