

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.1307 of 2018

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

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Satyendra Prasad @ Satyendra Prasad Yadav, son of Late Bishun Dhari Gope, R/o-
village Basobagi, P.O.+P.S.-Barh, distt.-Patna, at present village – Jamunichak,
P.O.-Sahri, P.S.- Barh, District – Patna. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise
Department of Bihar, Patna.
 2. The District Magistrate, Patna.
 3. The Senior Superintendent of Police, Patna.
 4. The S.H.O., Police Station Barh, Patna. Respondents
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Appearance :

For the Petitioner/s : Mr. Premchandra Yadav

For the Respondent/s : Mr. Vivek Prasad, G.P.7

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL JUDGMENT

Date: 08-05-2018

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

Petitioner has prayed for release of the vehicle
(Motorcycle) bearing registration no. BR21J-2657 in favour of the
petitioner in connection with Barh P.S. Case No. 90/2018 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, Patna.

(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, Patna, 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/-

(Rajeev Ranjan Prasad, J.)

AFR/NAFR	
CAV DATE	
Uploading Date	09.05.2018
Transmission Date	09.05.2018

