

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.626 of 2018

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Jagdev Ram, son of Late Darshan Ram, R/o – Village Jamuyana, P.S. – Wazirganj, District – Gaya.

.... Petitioner

Versus

1. The State of Bihar, Through The Principal Secretary, Excise Department, Government of Bihar Patna
2. The Collector/District Magistrate, Nawada
3. The Superintendent of Police, Nawada
4. The Police Inspector cum O/C Town, P.S. – Nawada.
5. The Police Sub-Inspector Dharmendar Kumar, Town, P.S. – Nawada.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar

For the Respondent/s : Mr. Vikash Kumar (Sc-11)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2. 16-03-2018

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

Petitioner has prayed for release of the vehicle (Tampo) bearing registration no. BR27-E4419 in favour of the petitioner in connection with Nawada Town P.S. Case No. 590/2016 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. 2,00,000/- (Two Lakhs only) in form of Bank guarantee or the original title deed of an immovable property lying within the jurisdiction of the court or any other security of like nature to the satisfaction of the learned Court below or the Collector cum District Magistrate, Nawada, 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, Nawada, 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/-

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