

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1481 of 2018

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Vishal Kumar, S/o- Anand Kumar, resident of Village- Asni, P.S.-
Udwantnagar, District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar, through the Secretary Home (Police) Department of Bihar, Patna.
2. The Principal Secretary, Excise and Prohibition Department, Government of Bihar, Patna.
3. The District Magistrate, Bhojpur.
4. The Director General of Police, Bihar, Patna.
5. The Superintendent of Police, Bhojpur.
6. The S.H.O. of Ara Nagar Police Station, District- Bhojpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Adv.

For the Respondent/s : Mr. Anil Kumar Sinha (GA1)

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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 motorcycle T.V.S. RTR 180 bearing Reg. No.BR03V-0625, which has been seized by the police in connection with Ara Nagar P.S. Case No.262 of 2018, for the offence under Sections 30 and 36 of the Bihar Prohibition and Excise Act, 2016. It is alleged that 32 liters of illicit liquor 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 illicit liquor, 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, Bhojpur 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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