

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Writ Jurisdiction Case No.2536 of 2018**

Arising Out of PS. Case No.-669 Year-2017 Thana- DEHRI TOWN District- Rohtas

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Ajay Kant Pandey S/o Sacchidanand Pandey R/o of Mohalla Subhash Nagar  
Gali 7, P.S. Dehri Town, P.S. Dalmiya Nagar Distt.-Rohtas, Pin-821305

... .. Petitioner/s

Versus

1. The State of Bihar Through The Principal Secretary, Registration, Excise And Prohibition Department, Government of Bihar, Patna
2. The District Magistrate-cum-Collector, Rohtas
3. The Superintendent of Police, Rohtas
4. The Deputy Superintendent of Police, Dehri-on-sone, Rohtas
5. The Officer Incharge, Dehri Town Police Station, Rohtas

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Amaresh Kumar Sinha  
For the Respondent/s : Mr. Kumar Manish (Sc-5)

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

2     31-10-2018                      Heard learned counsel for the petitioner and learned counsel representing the State.

The petitioner is seeking provisional release of the vehicle being Red Coloured Pulsar Motorcycle bearing Registration No. BR24M-5852 seized in connection with Dehri Town P. S. Case No. 669 of 2017.

Learned counsel for the petitioner submits that no illicit liquor has been recovered from the vehicle in question. Presently no confiscation proceeding is pending against the vehicle in question.

It is submitted that the seizure of the vehicle in question is in the teeth of the judgment of the Hon'ble Division



Bench passed in the case of **Diwakar Kumar Singh Vs. The State of Bihar through the Principal Secretary, Excise Department & Ors. reported in 2018 (3) PLJR 403.**

Learned counsel for the State is present.

Considering the facts and circumstances of the case and also the judgment of the Hon'ble Division Bench, the court below is directed to release the vehicle in question forthwith in favour of the petitioner within a week after submission of the document showing the ownership of the vehicle and registration certificate in the name of petitioner.

Since nothing has been recovered from the vehicle, there is no question of submission of any surety bond in view of the judgment of the Hon'ble Division Bench of this Court.

This application stands disposed off, accordingly.

**(Rajeev Ranjan Prasad, J)**

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