

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.10134 of 2017**

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Vijay Kumar Singh Son of Late Hira Lal Singh, Resident of Village- Gulabbagh,  
P.S. Sadar, District Purnea.

.... .... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Govt. of Bihar, Patna.
2. The Commissioner, Purnea Division, Purnea.
3. District Magistrate, Purnea.
4. The Superintendent of Excise, Purnea.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Ram Prawesh kumar  
For the Respondent/s :

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**CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY**

**ORAL JUDGMENT**

**Date: 18-09-2017**

Heard learned counsel for the parties.

The present application has been filed for release of security amount which the petitioner has deposited while taking license for running the wine shop.

As per claim of the petitioner, there is no outstanding dues lying against him of the Excise Department under any head but, the security money has not been released to him as yet. He has placed reliance on the letter dated 22.8.2015 written by Superintendent of Excise, Purnea which has been addressed to the Advocate, wherein, a statement has been made the application has been filed for release of the fund of security, as and when the approval will be received, the payment will be made.



Let the petitioner should file an application before the Commissioner, Excise who will look into the matter and if he arrives to a finding that the petitioner is entitled to the security money, the same should be returned to him. If he arrives to another finding, in that circumstances, he will be obliged to give a hearing to the petitioner and, only then, he will pass any order in accordance with law.

With the aforementioned observation and direction, this application is disposed of.

**(Shivaji Pandey, J)**

Rishi/-

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| AFR/NAFR          | NAFR       |
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