

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No. 1969 of 2017

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

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Gautam Prakash @ Gautam Kumar, Son of Late Purushottam Kumar @
Purushottam Prakash, resident of village Warisaliganj, Old Bank Road, P.S
Warsaliganj, District Nawada

.... Petitioner

Versus

1. The State of Bihar
2. The Director General of Police, Bihar, Patna
3. The Superintendent of Police, Nawada, District Nawada
4. The Station Head Officer (S.H.O.)-cum-Police Inspector, P.S. Warisaliganj,
Camp-Patel Nagar, Warisaliganj, District Nawada
5. The Circle Officer, Warisaliganj, Camp-Patel Nagar, Warisaliganj, District
Nawada
6. The Excise Inspector, Nawada, Camp Patel Nagar, Warisaliganj, District
Nawada

.... Respondents

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Appearance :

For the Petitioner : Mr. Nityanand Mishra, Advocate

For the Respondents : Mr. Vivek Prasad, GP7

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 17-10-2017

Heard learned counsel for the parties.

503 tin of Gur (sugarcane product) was seized by the
authorities when the same was being carried by the petitioner. Prayer
is for release of the same on the ground that the petitioner is a
business man having valid VAT TIN No. 10230148069. Gur is not a
controlled item.

Since the seized item is perishable one, let the same



be released in favour of the petitioner on execution of bank guarantee of Rs.50,000/- (rupees fifty thousand) to the satisfaction of the learned court below/authority concerned where the case is pending.

Further prayer is for removal of the seal put on the godown of the petitioner.

There is no reason to continue the godown under seal. Hence, the authorities are directed to unseal the same and hand over its possession to the petitioner, subject to the result of L.P.A. No. 1647 of 2015 (**Baleshwar Roy vs. The State of Bihar & Ors.**).

With the aforesaid observation, this application stands disposed of.

(Birendra Kumar, J)

Kundan/-

AFR/NAFR	N.A.
CAV DATE	N.A.
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