

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13782 of 2017

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Sikandar Sahani, Son of Laxami Sahani, Resident of Village-Gahtara,
Police Station- Gangaur, District Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department Bihar, Patna.
2. The District Magistrate, Khagaria.
3. The Superintending of Police, Khagaria.
4. The Circle Officer, Sadar, Khagaria.
5. The Station House Officer, Khagaria (Gangaur) Police Station, District Khagaria.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Kumar Sinha, Advocate

For the Respondent/s : Mr. Anil Kr. Sinha, GA-1

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

**HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY**

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 21-09-2017 Having heard learned counsel for the parties, we find that the house of the petitioner has been sealed by the police officials in connection with Khagaria (Gangaur) P.S. Case No. 375 of 2017 registered for the offences under Sections 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2016.

It is common ground that various cases, identical in nature, pending finalization of the confiscation proceedings property have been directed to be released by this Court on various conditions and we see no reason to make a deviation in the present case.



In view of the above, we direct the District Magistrate-cum-Collector, Khagaria to ensure that the house in question mentioned hereinabove, is unsealed and possession handed over to the petitioner forthwith, in connection with the aforementioned case, on his furnishing two securities to the satisfaction of District Magistrate-cum-Collector, Khagaria subject to the condition that the petitioner shall not alienate or deal with the house in question in any manner so as to prejudice the right of the State in confiscation proceeding.

With the aforesaid, this application is disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

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