

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16018 of 2017

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Raju Chaudhary S/o Dharmdev Chaudhary R/o Village Saran, P.S. Janta Bazar, District - Saran at Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar through District Magistrate, Saran at Chapra.
2. The Superintendent of Police, Saran at Chapra.
3. The Excise Superintendent, Saran at Chapra.
4. The Excise Inspector, Excise, Saran at Chapra.
5. The Police Inspector-cum-SHO, Janta Bazar Police Station, Saran at Chapra.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Yashraj Bardhan, Adv.
For the Respondent/s : Mr. Kumar Manish -SC5

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 13-11-2017 Having heard learned counsel for the parties, we find that the house of the petitioner has been sealed vide order dated 28.1.2017 by the police officials in connection with Janta Bazar P.S. Case No. 14 of 2017 registered for the offences under Section 30 of the Bihar Prohibition and Excise (Amendment) Act, 2016.

It is common ground that in various cases, identical in nature, pending finalization of the confiscation proceedings vehicles 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, pending criminal case or confiscation proceedings, we direct the District Magistrate-cum-Collector, Saran at Chhapra 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, 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)

K.C.Jha/-

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