

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18424 of 2017

=====

Kanhaiya Rai, S/o Late Binda Rai, R/o- village- West Rouja Pokhar, P.S.-
Chapra Town, District- Saran

... .. Petitioner/s

Versus

The State Of Bihar & Ors

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Bishwajeet Singh, Adv.
For the Respondent/s : Mr. Kumar Ravish, Adv.

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 19-12-2017

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 Chapra Town P.S. Case No.214/17 for violation 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 properties 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 , on the petitioner furnishing Bank Guarantee to



the satisfaction of the District Magistrate-cum-Collector, Saran to ensure that the house in question mentioned hereinabove, is unsealed and possession handed over to the petitioner forthwith, if not already auctioned, in connection with the aforementioned case, subject to the condition that the petitioner shall not alienate or deal with the house in question during the pendency of the confiscation and/or criminal case in any manner so as to create a third party interest or prejudice the right of the State in confiscation proceeding and/or criminal case.

With the aforesaid, this application is disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

K.C.Jha/-

U			
---	--	--	--

