

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17081 of 2017

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Sujit Kumar Jaishwal, Son of Krishna Kumar Jaishwal, R/o Village Salempur
Chapra P.S. Chapra Town, District Chapra, Saran.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Commissioner Excise Department, State of Bihar Patna.
2. The Collector Cum District Magistrate, Chapra
3. The Superintendent of Police, Chapra
4. The Officer-in Charge of Garkha Police Station, Saran at Chapra.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Adv.
For the Respondent/s : Mr. ANIL KUMAR SINHA -GA1

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 24-11-2017 Having heard learned counsel for the parties, we find that the house of the petitioner has been sealed vide order dated 28.3.2017 by the police officials in connection with Chapra Town P.S. Case No. 130 of 2017, G.R. No.2242/17 registered for the offences under Sections 30(A) 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, District Magistrate-cum-Collector, Chapra, is directed 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 surety bonds to the satisfaction of District Magistrate-cum-Collector, Chapra 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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