

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12650 of 2018

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Suryadeo Prajapati @ Surajdeo Prajapati, Son of Hari Narayan Prajapati,
Resident of Village- Babuganj, Police Station- Tilouthu, District- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise, Government of Bihar, Patna.
2. The District Magistrate, Rohtas at Sasaram.
3. The Superintendent of Police, Rohtas at Dehri-on-Sone.
4. The District Excise Officer, Rohtas at Sasaram.
5. The S.H.O. Tilouthu Police Station, District- Rohtas.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh, Advocate
For the Respondent/s : Mr. Vikash Kumar -SC-11

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 06-07-2018 This writ petition has been filed for unsealing the Gumati (Betel Shop) of the petitioner and handing over possession of the same to the petitioner in connection with Tilouthu P.S. Case No. 02/2018 which has been registered due to violation of the Excise Act. The prayer made in the writ



petition is to unseal the Gumati (Betel Shop) in question and hand over possession of the same to the petitioner during the pendency of the confiscation proceedings and criminal case.

It is common ground that in various cases, identical in nature, pending finalization of the confiscation proceedings/criminal case vehicles/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.

Keeping in view the aforesaid, it is directed that pending finalization of the confiscation proceedings and criminal case, the aforesaid Gumati (Betel Shop) of the petitioner shall be unsealed and possession handed over to the petitioner on his furnishing original title deed of the property in question and two local sureties to the satisfaction of District Magistrate, Rohtas at Sasaram and further undertaking not to alienate or deal with the Gumati (Betel Shop) in question or create a third party interest during the pendency of the confiscation proceedings and criminal case or prejudice the right of the State in confiscation proceedings. The aforesaid Gumati (Betel Shop) in question shall be unsealed and possession handed over to the petitioner within one week from the date of furnishing the original title deed and sureties.



With the aforesaid, the writ petition stands allowed
and disposed of.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

P.K.P./-

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