

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Miscellaneous Jurisdiction Case No.501 of 2018**

**arising out of**

**C.W.J.C. No. 1394 of 2018**

Uma Shankar Singh, son of Late Ram Bachan Singh @ Ram Bachan Kharwar, Resident of Village- Bisharampur, P.S. Dinara (Bhanas), District-Rohtas at Sasaram

... .. Petitioner/s

Versus

1. The State of Bihar through Mr. Amir Subhani, the Principal Secretary, Registration, Excise And Prohibition Department, Government of Bihar, Patna
2. Mr. Animesh Kumar Parashar, the District Magistrate-cum-Collector, Rohtas at Sasaram
3. Mr. Anand Kumar, the Superintendent of Excise, Rohtas at Sasaram
4. Mr. Narendra Prasad, the S.H.O., Dinara (Bhanas) Police Station, Rohtas at Sasaram

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr. Babu Nandan Prasad, Advocate  
For the Respondent/s : Mr. Manish Kumar, A.C. to AAG 6

**CORAM: HONOURABLE THE CHIEF JUSTICE**

**and**

**HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**

**ORAL JUDGMENT**

**(Per: HONOURABLE THE CHIEF JUSTICE)**

**Date : 19-02-2018**

Inter alia contending that in pursuance to the interim order passed on 29.01.2018 in C.W.J.C. No. 1394 of 2018, house of the petitioner has not been released, this application has been filed for initiating action for contempt and reference is made to Annexure-2 dated 3<sup>rd</sup> of February, 2018 to contend that inspite of application submitted, the house is not being released.

On a perusal of the application Annexure-2 dated



03.02.2018, we find that neither documents of the house showing title or its valuation has been filed nor any undertaking has been given by the petitioner in the said communication that on receipt of the value for the Bank Guarantee, the same shall be submitted. In the absence of there being specific representation by the petitioner along with the aforesaid requirement, we are not inclined to initiate any action for contempt. As and when the petitioner files a proper application supported by relevant documents and indicates his willingness to submit the Bank Guarantee, the learned District Magistrate shall direct for unsealing the house in question and handing over possession of the same to the petitioner, as ordered by us in the writ petition within one week thereof.

With the aforesaid, the application stands disposed of.

**(Rajendra Menon, CJ)**

**(Rajeev Ranjan Prasad, J)**

P.K.P./-

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| AFR/NAFR          | N.A.F.R.   |
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