

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4723 of 2018

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Sanjit Ram, Son of Late Ramdeo Ram, resident of Village- Pachna Road, Sansar Pokhar, Ward No.- 17, P.S.- Kabaiya, District- Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Prohibition Excise & Registration, Govt. of Bihar, Patna.
2. The District Magistrate, Lakhisarai.
3. The Superintendent of Police, Lakhisarai.
4. The Excise Superintendent, Lakhisarai.
5. The Officer in Charge, Lakhisarai (Kabaiya) P.S., District- Lakhisarai.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rabi Bhushan

For the Respondent/s : Mr. ANIL KUMAR SINHA -GA1

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 21-03-2018

This writ petition has been filed for release of the house along with land of the petitioner situated at Mauza Pachna Road, Sansar Pokhar, Ward No. 17, which has been seized in connection with Lakhisarai (Kabaiya) P.S. Case No. 346/17 due to violation of the Excise Act. The prayer made in the writ petition is to release / unseal the house along with land in question pending disposal of the confiscation proceedings and criminal case, if any.

It is a common ground that in various cases, identical in nature, pending finalization of the confiscation proceedings houses have been directed to be released / unsealed 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, if any, the house along with land in question shall be released / unsealed and possession be given to the petitioner on the petitioner depositing the original title deeds of the property in question along with two local sureties to the satisfaction of District Magistrate, Lakhisarai, and on further undertaking that the petitioner shall not alienate or deal with the house in question or create a third party interest during the pendency of the confiscation proceedings and criminal case, if any, or prejudice the right of the State in confiscation proceeding. The aforesaid house along with land shall be released / unsealed within one week from the date of depositing of the title deeds.

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

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

Arvind/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	27.03.2018
Transmission Date	N/A

