

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2779 of 2018

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Raju Kumar @ Raju Kumar Ray, Son of Sudarshan Ray, Resident of Village-
Lawan Kala, P.S.-Baniyapur, District-Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department,
Government of Bihar, Patna.
2. The District Magistrate-Cum-Collector, Saran.
3. The Senior Superintendent of Police, Saran.
4. The S.H.O., Baniyapur Police Station District-Saran.
5. The Investigation Officer, Baniyapur Police Station Case No.326/2017, Saran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Advocate
For the Respondent/s : Mr. Vivek Prasad -G P 7

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 13-02-2018 This writ petition has been filed for a direction to the respondents to unseal and release the sealed shop of the petitioner, which has been sealed in connection with Baniyapur P. S. Case No.326 of 2017 due to violation of the Bihar Prohibition and Excise Act, 2016.

It is common ground that in various cases, identical in nature, pending finalization of the confiscation proceedings and criminal case, properties/premises 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 premises in question shall be released to the petitioner on his furnishing two sureties to the satisfaction of District Magistrate, Saran within a period of one week from the date of his furnishing the sureties and further undertaking not to alienate or create third party interest or deal with the properties in question during the pendency of the confiscation proceedings and criminal case so as to cause adverse effect or prejudice to the State Government.

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

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

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