

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.97 of 2018

Vinda Singh Patel S/o Jamader Singh R/o Village- Khajuria Briti tola, P.S.
Sidhwalia, District- Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar , through the Principal Secretary, Registration, Excise and Prohibition Department, Government of Bihar, Patna.
2. The District Magistrate-Cum-Collector, Gopalganj.
3. The Excise Commissioner, Bihar, Patna.
4. The Superintendent of Excise, Gopalganj.
5. The Superintendent of Police, Gopalganj.
6. The Sub-Divisional Magistrate, Gopalganj.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Satyendra Rai
For the Respondent/s : Mr. VIVEK PRASAD-GP7

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 04-01-2018 This writ petition has been filed for a direction to the respondents not to demolish the bricks constructed open hut situated at village Khajuria Briti Tola under the Sidhawalia Police Station in the district of Gopalganj as ordered by the District Magistrate-cum-Collector, Gopalganj in connection with confiscation (Excise) Case No.271 of 2017 arising out of Sidhwalia P.S. Case No.83 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 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 premises in question shall be released to the petitioner on his furnishing two sureties to the satisfaction of District Magistrate, Gopalganj within a period of one week from the date of his furnishing the sureties and further undertaking not to alienate or deal with the premises 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)

(Anil Kumar Upadhyay, J)

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