

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2655 of 2018

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Shatrughan Prasad @ Shatrughan Sah, S/o Late Harivansh Sah, Resident of
Mohalla Babu Bazar, P.S.- Ara Town, District- Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Registration Excise and Prohibition Department, Government of Bihar, Patna.
2. The District Magistrate- cum-Collector, Bhojpur, Ara.
3. The Superintendent of Police, Bhojpur, Ara.
4. The Excise Superintendent, Bhojpur, Ara.
5. The Officer-Incharge, Ara Town, Police Station, District- Bhojpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Amarendra Kumar, 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 21-02-2018 This writ petition has been filed for a direction to the respondents to unseal and release the sealed shop in favour of the petitioner, which has been sealed in connection with Ara Town P. S. Case No.283 of 2016 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 or initiation of confiscation proceedings and criminal case, 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 or initiation of the confiscation proceedings and criminal case, the shop in question shall be released to the petitioner on his furnishing two sureties to the satisfaction of District Magistrate, Bhojpur, Ara 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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