

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3362 of 2018

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Anil Kumar Agarwal @ Anil Agarwal, age about 53 years, son of Om Prakash Agarwal, resident of Durga Bhawn Road, Nala Road, Behind Petrol Pump, Amrudigali, P.S.- Kadamkuan, District- Patna, Bankipur, Bihar-800004.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The Inspector General of Police, Patna.
4. The District Magistrate, Patna.
5. The Superintendent of Police, Patna.
6. Principal Secretary, Registration Excise & Prohibition Department, Government of Bihar, Patna.
7. The Inspector of Police-cum-Incharge, Didarganj, Patna.
8. The I.O.-cum-Sub Inspector of Police, Didarganj, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Ms. Shama sinha, Advocate
For the Respondent/s : Mr. Vivek Prasad -GP7

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 23-02-2018 This writ petition has been filed for a direction to the respondents to unseal and release the vacant open plot of the petitioner measuring six katha, located at Mauza Simli Murarpur @ Kothiya, Thana Malslami, District Patna, bearing details as Thana Code No.533, Than No.38, Tauzi No.280 (old) and present Tauzi-Bihar Government, Khata No.337, Khasra No.1752 and part of 1753, which has been sealed in connection with Didarganj P.S. Case No.184 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/initiation of the 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/initiation of the confiscation proceedings and criminal case, the aforesaid properties in question shall be released to the petitioner on his furnishing bank guarantee to the satisfaction of District Magistrate, Patna within a period of one week from the date of his furnishing the bank guarantee 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)

(Anil Kumar Upadhyay, J)

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