

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8937 of 2018

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Sita Ram Singh, son of late Vishwanath Singh, resident of village-Bihar,
Tola-Jagir, P.S.-Barauni, District-Begusarai.

.... 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, Begusarai.
3. The Superintendent of Police, Begusarai.
4. The Excise Superintendent, Begusarai.
5. The Station Head Officer, Barauni, Police station, District-Begusarai.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prakash Kumar

For the Respondent/s : Mr. Vikash Kumar- Sc11

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 17-05-2018 This writ petition has been filed for unsealing the Kunal Line Hotel of the petitioner situated at NH-31 near Railway Kabin under FCI Outpost and handing over possession of the same to the petitioner in connection with Barauni P.S. Case No. 09/2018 which has been registered due to violation of the Excise Act. The prayer made in the writ petition is to unseal the hotel in question and hand over possession of the same during the pendency of the confiscation proceedings and criminal case.

It is common ground that in various cases, identical in nature, pending finalization of the confiscation proceedings/criminal case vehicles/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 hotel of the petitioner shall be unsealed and possession handed over to the petitioner on his furnishing original title deed of the property in question and two local sureties to the satisfaction of District Magistrate, Begusarai and further undertaking not to alienate or deal with the hotel in question or create a third party interest during the pendency of the confiscation proceedings and criminal case or prejudice the right of the State in confiscation proceedings. The aforesaid hotel in question shall be unsealed and possession handed over to the petitioner within one week from the date of furnishing the original title deed and sureties.

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

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

Arvind/-

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