

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10033 of 2018

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Bindeshwar Sao

.... Petitioner/s

Versus

The State of Bihar & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ranjit Kumar

For the Respondent/s : Mr. Anil Kumar Sinha -Ga1

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

**HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD**

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 18-05-2018 This writ petition has been filed for release of a pucca hosue of the petitioner bearing Khata No.325, Khesra No.3088 situated at Village Tarar P.S.-Daudnagar in the district of Aurangabad which has been seized in connection with Daudnagar P.S. Case No.285 of 2017 due to violation of the Excise Act. The prayer made in the writ petition is to release the house in question pending finalization of the confiscation proceedings and criminal case.

It is common ground that in various cases, identical in nature, pending finalization of the confiscation proceedings houses 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 aforesaid confiscation proceedings and criminal case, the aforesaid house in question shall be released and possession handed over to the petitioner, on his furnishing original title deed of the property in question and two local sureties bonds to the satisfaction of District Magistrate, Aurangabad and further undertaking not to alienate or to deal with the house 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 proceeding. The aforesaid vehicle shall be released within one week from the date of furnishing the original title deed and sureties.

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

(Rajendra Menon, CJ)

Sanjeev/-

(Rajeev Ranjan Prasad, J)

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