

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19113 of 2017

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Raj Kamal, son of late Dilip Kumar Singh, resident of Village-Mukrera,
Police Station-Revilganj, District-Saran at Chapra, proprietor and owner of
Maa Singhashini Petrol Pump situated at N. H. 28 Banjari Road, Gopalganj.
... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Excise Department,
Government of Bihar, Patna, Bihar.
2. The Principal Secretary, Excise Department, Govt. of Bihar, Patna, Bihar.
3. The District Magistrate, Gopalganj
4. The Superintendent of Police, Gopalganj
5. The Sub-Divisional Police Officer, Gopalganj Sadar, Gopalganj.
6. The S. H. O. Gopalganj Town, Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vipin Kumar Singh, Advocate
For the Respondent/s : Mr. Vikash Kumar -SC11

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 04-01-2018 Having heard learned counsel for the parties, we find that

the Maa Singhasini Petrol Pump situated at N. H. 28 Banjari
Road, Gopalganj, has been seized by the police officials in
connection with Gopalganj Town P. S. Case No. 577 of 2017
registered for the offences under Sections 30(a) 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.



In view of the above, pending finalisation of the confiscation proceedings, District Magistrate-cum-Collector, Gopalganj, is directed to ensure that the Petrol Pump in question mentioned hereinabove, is unsealed and possession handed over to the petitioner forthwith, in connection with the aforementioned case, on his furnishing two sureties to the satisfaction of District Magistrate-cum-Collector, Gopalganj subject to the condition that the petitioner shall not alienate or deal with the premises in question in any manner so as to prejudice the right of the State in confiscation proceedings.

With the aforesaid, the writ petition is disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

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