

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19316 of 2017

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Krishna Gopal Rai S/o Ram Lagan Rai R/o Village - Jahangirpur, P.S. -
Sonepur, District - Saran

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Registration, Excise & Prohibition Department, Government of Bihar, Patna.
2. The Principal Secretary, Registration, Excise & Prohibition Department, Government of Bihar, Patna.
3. The Collector, District - Saran.
4. The Superintendent of Police, Saran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bishwajeet Singh
For the Respondent/s : Mr. ANIL KUMAR SINHA- GA1

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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 dwelling house of the petitioner has been sealed by the police officials in connection with Sonepur P.S. Case No. 92 of 2017 registered for the offences under Sections 272, 273, 34 of the Indian Penal Code as well as under the provision 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, we direct the District Magistrate-cum-Collector, Saran to ensure that the house in question mentioned hereinabove, is unsealed and possession handed over to the petitioner forthwith, in connection with the aforementioned case, on his furnishing two surety bonds to the satisfaction of District Magistrate-cum-Collector, Saran subject to the condition that the petitioner shall not alienate or create third party interest or deal with the house in question in any manner so as to prejudice the right of the State in confiscation proceeding.

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

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

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