

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4645 of 2018

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Shri Bhagwan Pandey, Son of Late Nagina Pandey, Resident of Village-
Sarpfra, P.O.- Batardeh, P.S.- Barauli, District- Gopalganj.

... .. 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, Saran at Chapra.
3. The Assistant Excise Commissioner, Saran at Chapra.
4. The Superintendent of Excise, Saran at Chapra.
5. The Superintendent of Police, Saran at Chapra.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate
For the Respondent/s : Mr. Vivek Prasad -GP7

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 15-03-2018 This writ petition has been filed for a direction to the respondents to unseal and release the house in favour of the petitioner which is situated at Circle No.19, Holding No.56, Circle Chapra, Mohalla-Katra Bazar, Rajajee Ki Gali, under Police Station Bhagwan Bazar in the district of Saran at Chapra, which has been seized/sealed in connection with Bhagwan Bazar P. S. Case No.165 of 2016 due to violation 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 or initiation of 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 or initiation of the confiscation proceedings and criminal case, the house in question shall be released to the petitioner on his furnishing two sureties to the satisfaction of District Magistrate, Saran at Chapra, within a period of one week from the date of his furnishing the sureties 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)

(Rajeev Ranjan Prasad, J)

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