

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5745 of 2018

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Nawal Kishore Singh, Son of Late Shesh Narayan Singh, Resident of Village-
Parmanand Chapra Police Station- Amnour, District- Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary, Department of Registration, Excise and Prohibition, Government of Bihar, Patna.
2. The Excise Commissioner, Bihar, Patna.
3. The Collector-cum-District Magistrate, Saran.
4. The Superintendent of Police, Saran.
5. The Station House Officer, P.S.- Amnour, District- Saran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kumar 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 03-04-2018 Respondents to file counter affidavit.

List the matter for analogous hearing along with L.P.A. No.
1647 of 2015.

In the meanwhile, as the issue with regard to power of the District Magistrate to confiscate has been referred to the Larger Bench in L.P.A. No. 1647 of 2015 and the same is pending consideration before the Larger Bench, we deem it appropriate to direct the District Magistrate-cum-Collector, Saran to ensure that the cow shed (Goushala Bathan) in question, which has been confiscated in connection with Confiscation Case No.85/2017 arising out of Amnour P.S. Case No.95/2016 by the



District Magistrate, Saran at Chapra, vide order dated 08.12.2017 is unsealed and possession handed over to the petitioner on his depositing title deed and two local sureties to the satisfaction of the District Magistrate-cum-Collector, Saran within one week from the date of furnishing the title deed and two local sureties, subject to the further condition that the petitioner shall not alienate or create third party interest or deal with the properties in question in any manner so as to prejudice the right of the State in confiscation proceeding or the criminal case.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

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