

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2659 of 2018

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Shailesh Gond, Son of Durga Gond @ Durga Prasad, R/o Village- Srinagar
Mairwa, P.S Mairwa, District-Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Excise and Prohibition
Department Govt. of Bihar, Patna.
2. The District Magistrate, Siwan.
3. The Superintendent of Police Siwan.
4. The Superintendent of Excise Department, Siwan.
5. The Officer in Charge- Mairwa Police Station Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate
For the Respondent/s : Mr. Vivek Prasad -GP 7

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 13-02-2018 This writ petition has been filed for a direction to the
respondents to release the newly constructed dwelling house of
the petitioner, which has been seized in connection with Mairwa
Police Station Case No.14 of 2017 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 and
criminal case, premises in question 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 confiscation proceedings and criminal case, the aforesaid premises in question shall be released to the petitioner on his furnishing two sureties to the satisfaction of District Magistrate, Siwan 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 premises 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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