

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.7988 of 2018**

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Randhir Kumar @ Kurra, Son of Arun Singh @ Arun Kumar Singh, Resident  
of Village-Makanpur, P.S.-Bind, District-Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Excise,  
Government of Bihar, Patna.
2. The District Magistrate, Patna.
3. The Senior Superintendent of Police, Patna.
4. The Station House Officer, N.T.P.C. Barh P.S. N.T.P.C. (Barh), District-Patna.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Pramod Kumar Singh, Advocate  
For the Respondent/s : Mr. Anil Kumar Sinha -Gal

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**CORAM: HONOURABLE THE CHIEF JUSTICE**  
**and**  
**HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

**(Per: HONOURABLE THE CHIEF JUSTICE)**

2      16-05-2018                      Having heard learned counsel for the parties, we find  
  
that the house of the petitioner located at mauza- Bariyarpur,  
  
Khata No.2, Anchal- Pandarak, Plot No.117 & 118, Tauzi No.48  
  
has been sealed by the police officials in connection with  
  
Special Case No.2689 of 2017, arising out of N.T.P.C. (Barh)  
  
P.S. Case No.48 of 2017 for violation of the Bihar Prohibition  
  
and Excise (Amendment) 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.

Keeping in view the aforesaid, it is directed that pending finalization of the criminal case or confiscation proceedings, the aforesaid house of the petitioner shall be unsealed and possession handed over to the petitioner on the petitioner furnishing original title deed of the property in question and two local sureties to the satisfaction of District Magistrate-cum-Collector, Patna and further undertaking not to alienate or deal with the property in question or create a third party interest during the pendency of the confiscation proceedings and/or criminal case or prejudice the right of the State in the confiscation proceedings. The property of the petitioner should be unsealed and possession handed over to the petitioner within a period of one week from the date of furnishing the original title deed and sureties.

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

**(Rajendra Menon, CJ)**

**( Rajeev Ranjan Prasad, J)**

K.C.Jha/-

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