

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2409 of 2018

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Shiv Ji Chaudhari, son of Late Satya Narayan Chaudhari, Resident of Village-
18, Khairati Tole, Hussainganj, P.S. Hussainganj, District- Siwan

... .. Petitioner/s

Versus

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

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate
For the Respondent/s : Mr. Vikash Kumar-SC11

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 12-02-2018

This writ petition has been filed for unsealing the
house of the petitioner and handing over possession of the same
to the petitioner in connection with Hussainganj P.S. Case No.



113/2017 which has been registered due to violation of the Excise Act. The prayer made in the writ petition is to unseal the house in question and hand over possession of the same during the pendency of the confiscation proceedings and criminal case.

It is common ground that in various cases, identical in nature, pending finalization of the confiscation proceedings vehicles/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 confiscation proceedings and criminal case, the aforesaid house of the petitioner shall be unsealed and possession handed over to the petitioner on his furnishing two sureties to the satisfaction of District Magistrate, Siwan and further undertaking not to alienate or deal with the house in question or create a third party interest during the pendency of the confiscation proceedings and criminal case or prejudice the right of the State in confiscation proceeding. The aforesaid house in question shall be unsealed and possession handed over to the petitioner within one week from the date of furnishing the sureties.

With the aforesaid, the writ petition stands allowed



and disposed of.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

P.K.P./-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	13.02.2018
Transmission Date	

