

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10475 of 2018

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Sujeet Kumar, S/o Dina Nath Prasad @ Dinanath Sah, Resident of village-
Manichchapar, Police Station

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Department of
Registration, Prohibition and Excise, Govt. of Bihar, Patna
2. The Collector, Gopalganj
3. The Excise Superintendent, Gopalganj

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Singh, Advocate
For the Respondent/s : Mr. Vikash Kumar-SC 11

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER
(Per: HONOURABLE THE CHIEF JUSTICE)

2 20-06-2018 Apart from confiscating the vehicle of the petitioner,

the Ice-cream Factory of the petitioner has also been sealed and,

therefore, during the course of hearing the petitioner limited the

prayer for release of the Ice-cream Factory.

Having heard learned counsel for the parties, we find

that the Ice-cream Factory of the petitioner at village
Manichchapar P.S. Hathua, district- Gopalganj has been sealed

by the police officials in connection with Confiscation (Excise)



Case No.103 of 2018 corresponding to Hathua P.S. Case No.200 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 Ice-cream Factory 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, Gopalganj 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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