

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13643 of 2018

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Pramod Kumar Sah, Son of Late Moti Lal Sah, Resident of Village-
Murliganj, Ward No.8, Agrasen Bhawan, Police Station- Murliganj, District-
Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar through Excise Commissioner, Patna.
2. The District Magistrate, Madhepura.
3. The Excise Superintendent, Madhepura.
4. The Station House Officer, Murliganj Police Station, District- Madhepura.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate
For the Respondent/s : Mr. Anil Kr. Sinha- GA-1

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

(Per: HONOURABLE THE CHIEF JUSTICE)

2 20-07-2018 Having heard learned counsel for the parties, we find

that the House-cum-Betel Shop/General Store of the petitioner

has been sealed by the police officials in connection with

Murliganj P.S. Case No. 239 of 2016 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-cum-Betel Shop/General Store 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, Madhepura 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)

P.K.P./R.S.Sen-

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