

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.13507 of 2018**

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Niranjan Prasad Singh @ Niranjan Singh Son of Late Nawal Kishore Singh  
@ Nawal Singh Resident of Village - Trust Colony, Malaypur, P.S. -  
Malaypur, District - Jamui, Presently posted as Subject Matter Specialist  
(Extension) in Krishi Vigyan Kendra, Gram Nirman Mandal, Shekhoderoa,  
Nawada, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise & Prohibition, Govt. of Bihar, Patna.
2. The Excise Commissioner, Govt. of Bihar, Patna.
3. The District Magistrate cum Collector, Jamui.
4. The Superintendent of Police, Jamui.
5. The SHO, Malaypur Police Station, District - Jamui.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Dipak Kumar, Advocate  
For the Respondent/s : Mr. Kumar Manish – SC 5

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**CORAM: HONOURABLE THE CHIEF JUSTICE**

**and**

**HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

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

2      17-07-2018                      Having heard learned counsel for the parties, we find  
  
that the House of the petitioner has been sealed by the police  
officials in connection with Malaypur P.S. Case No. 56 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, Jamui 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/Uma/-

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