

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.1962 of 2017

Arising Out of PS.Case No. -null Year- null Thana -null District- PATNA

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Mahadeo Prasad @ Mahadeo Prasad Mehta, Son of Late Beni Mahto, resident of
Tikiya Toli, P.O.- Mahendru, P.S.- Sultanganj, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Excise Act Department Govt. of Bihar, Patna. null null
2. The Collector, Patna.
3. The Senior Superintendent of Police, Patna.
4. The Superintendent of Police, Patna.
5. The Sub- Divisional Police Officer, Patna City.
6. The Station House Officer, Bahadurpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Mouar

For the Respondent/s : Mr. Anil Kumar Sinha, G.A.1

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

Date: 04-05-2018

Heard learned counsel for the petitioner and
learned counsel representing the State.

Learned counsel for the petitioner is permitted to
make necessary correction in the name of the accused during
course of the day.

Petitioner has prayed for to de-seal the room of the
lodge in favour of the petitioner in connection with Bahadurpur
P.S. Case No. 203/2016 for the offences under Section 38, 41 of
Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the
petitioner is ready and willing to abide by the terms and
conditions which may be imposed by this Court for provisional
de-seal the room of the petitioner's lodge in question.



In the facts and circumstances, pending initiation or finalization of the confiscation proceeding, let the room of the lodge in question, if belongs to the petitioner, be de-sealed within a week provisionally on production of proof of ownership subject to the following conditions:-

- (i) Petitioner shall furnish a surety bond of Rs. 7,00,000/- (Seven Lakhs only) (not in form of cash or Bank guarantee) with two sureties of the like amount to the satisfaction of the Collector-cum-District Magistrate, Patna.
- (ii) Before de-sealing/unlocking of the premises and handing over to the petitioner, the District Magistrate, Patna shall get a photograph of the de-sealed/unlocked premises which will be duly certified in presence of the petitioner and a panchnama shall also be prepared to get the same on the record.

This application is, accordingly, disposed off.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

AFR/NAFR	
CAV DATE	
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