

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13369 of 2018

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Harihar Bhagat, Son of late Saryug Bhagat, resident of Village- Tengrari,
P.S.- Siwaipatti, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Collector, Muzaffarpur.
2. The Collector-cum-District Magistrate, Muzaffarpur.
3. The Senior Superintendent of Police, Muzaffarpur.
4. The Excise Superintendent, Muzaffarpur.
5. The Officer-in-charge Of Siwaipatti, Police Station, Muzaffarpur.
6. The Investigating Officer of Siwaipatti, P.S. Case No. 16/18, Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate
For the Respondent/s : Mr. Anil Kr. Sinha- GA1

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 13-07-2018 Having heard learned counsel for the parties, we find

that the house and campus of the petitioner, situated at village

Tengarai P.S.- Siwaipatti, District- Muzaffarpur bearing its

Khata No. 619, Plot No. 3909, area about kattha of the

petitioner has been sealed by the police officials in connection



with Siwaipatti P.S. Case No. 16 of 2018 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 and campus of the petitioner, situated at village Tengarai P.S.- Siwaipatti, District-Muzaffarpur bearing its Khata No. 619, Plot No. 3909, area about kattha 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, Muzaffarpur 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/R.S.Sen

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