

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3710 of 2018

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Shashi Shekhar Dvivedi, son of late Pt. Shiv Kumar Dvivedi, resident of House No.18, Sardar Patel Path, North S. K. Puri, Boring Road, District-Patna 800 013.

... .. Petitioner/s

Versus

- 1.The State Of Bihar through Principal Secretary, Registration Excise & Prohibition Department, Government of Bihar.
2. The Collector-cum-District Magistrate, Chapra.
3. The Superintendent of Police, Chapra.
4. The Officer-in-Charge, Chapra Town Police Station, Chapra.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Tuhin Shankar, Advocate
For the Respondent/s	:	Mr. Anil Kumar Sinha -GA 1

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 26-02-2018 This writ petition has been filed for a direction to the respondents to unseal and release the room situated at Mohalla-Salempur at Chapra, which has been sealed in connection with Excise Case No.159 of 2017 due to violation of the Bihar Prohibition and Excise Act, 2016.

It is common ground that in various cases, identical in nature, pending finalization of the confiscation proceedings or initiation of confiscation proceedings and criminal case, 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/initiation of the confiscation proceedings and criminal case, the aforesaid premises in question shall be released to the petitioner on his furnishing bank guarantee to the satisfaction of District Magistrate, Chapra within a period of one week from the date of his furnishing the bank guarantee and subject to further undertaking not to alienate or create third party interest or deal with the properties in question during the pendency of the confiscation proceedings and criminal case so as to cause adverse effect or prejudice to the State Government.

With the aforesaid, the writ petition stands allowed and disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

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