

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2461 of 2018

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Raj Kumar Singh @ Raju Kumar Singh, Son of Dular Singh, Resident of
Village- Guthuni, Police Station- Guthuni, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Bihar, Patna.
2. The District Magistrate, Siwan.
3. The Superintendent of Excise Department, Siwan.
4. The Officer-in-charge, Guthuni Police Station, Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ram Pravesh Nath Tiwari, Advocate
Ms. Fauzia Shakil, Advocate
For the Respondent/s : Mr. A.K. Sinha- GA1
Ms. Aditi Hansaria, A.C. to G.A. 1

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 12-02-2018

This writ petition has been filed for unsealing the
house of the petitioner situated in Mauza- Guthani, Thana No.
74, Khata No. 778, Khesra No. 1736, 1735, 1734 and Rakba
0.2.10, P.S. Guthani, Siwan and handing over possession of the



same to the petitioner in connection with Guthani P.S. Case No. 63/2017 which has been registered due to violation of the Excise Act. The prayer made in the writ petition is to unseal the house in question and hand over possession of the same during the pendency of the confiscation proceedings and criminal case.

It is common ground that in various cases, identical in nature, pending finalization of the confiscation proceedings vehicles/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 confiscation proceedings and criminal case, the aforesaid house of the petitioner shall be unsealed and possession handed over to the petitioner on his furnishing two sureties to the satisfaction of District Magistrate, Siwan and further undertaking not to alienate or deal with the house in question or create a third party interest during the pendency of the confiscation proceedings and criminal case or prejudice the right of the State in confiscation proceeding. The aforesaid house in question shall be unsealed and possession handed over to the petitioner within one week from the date of furnishing the sureties.



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

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

P.K.P./-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	13.02.2018
Transmission Date	

