

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.441 of 2018

=====

1. Sunil Kumar, Son of Subhash Chandra Singh, Resident of Village & P.O.- Sakrohar, P.S.- Beldaur, District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Excise Department, Patna.
2. The District Magistrate, Khagaria.
3. The Superintendent of Police, Khagaria.
4. The District Supply Officer, Khagaria.
5. The S.H.O Beldaur Police Station, District- Khagaria.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai

For the Respondent/s : Mr. Vikash Kumar (Sc-11)

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 16-02-2018 Heard learned counsel for the petitioner and learned counsel representing the State.

Petitioner in the present case has prayed for ad interim de-sealing of the house which has been seized in connection with Beldaur P.S. Case No.95 of 2017, District- Khagaria registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016 and Section 25(1-b)a and 26 of the Arms Act.

Learned counsel for the petitioner submits that for the purpose of de-sealing of the house in question provisionally, petitioner is ready and willing to abide by the terms and conditions



which may be imposed by this Court.

Considering the facts and circumstances, pending initiation or finalization of confiscation proceeding, let the house of the petitioner be provisionally de-sealed/released in his favour on production of document of title in respect of the house in question and the petitioner furnishes a surety bond of Rs.10,00,000/- (ten lakhs) (not in form of bank guarantee or cash) with two sureties of the like amount to the satisfaction of court below or the authority concerned.

The concerned court/authority shall get prepared a photograph duly certified and a Panchnama of the house in sealed condition before de-sealing of the same and the same will be kept on the record.

The petitioner undertakes not to challenge the said photograph and Panchanama in course of trial or the confiscation proceeding, as the case may be.

The petitioner shall also give an undertaking that he will not deal with the house in question in favour of any third party or create any interest adverse to the interest of the State without permission of the Court and shall not allow any illegal act to be committed in the house in question. The petitioner shall also give an undertaking that if any portion of the house is rented out



he will get done the prior police verification of the said person before handing over the possession of any part of the house.

The application stands disposed off.

(Rajeev Ranjan Prasad, J)

Arvind/-

U		T	
---	--	---	--

