

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5997 of 2018

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Bablu Choudhary Son of late Shankar Choudhary Resident of Village-
Mahdipur, P.S. Doriganj, District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Excise Department,
Govt. of Bihar, Patna. null null
2. The Commissioner, Excise, Government of Bihar at Patna.
3. The District Magistrate, Saran at Chapra.
4. The Superintendent of Police, Saran at Chapra.
5. The Officer-in-Charge, Doriganj Police Station, District- Saran.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dr. Rajesh Kumar Singh, Advocate
For the Respondent/s : Mr. A.K. 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 19-04-2018 Having heard learned counsel for the parties, we find

that the house of the petitioner has been sealed vide order dated

18.6.2017 by the police officials in connection with Doriganj P.S.

Case No.37 of 2017 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.

In view of the above, pending criminal case or confiscation proceedings, we direct the District Magistrate-cum-Collector, Saran at Chapra, on the petitioner furnishing original title deed of the property in question and two local sureties to the satisfaction of the District Magistrate-cum-Collector, Saran at Chapra, to ensure that the house in question mentioned hereinabove, is unsealed and possession handed over to the petitioner within a week, if not already auctioned, in connection with the aforementioned case, subject to the condition that the petitioner shall not alienate or deal with the house in question during the pendency of the confiscation and/or criminal case in any manner so as to create a third party interest or prejudice the right of the State in confiscation proceeding and/or criminal case. The property of the petitioner should be unsealed within a period of one week from the date of furnishing the surety bonds.

With the aforesaid, this application is disposed of.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

K.C.jha/-

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