

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1394 of 2018

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1. Uma Shankar Singh Son of late Ram Bachan Singh @ Ram Bachan Kharwar, Resident of Village- Bisharampur, P.S. Dinara(Bhanas), District- Rohtas at Sasaram.

.... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Registration, Excise and Prohibition Department, Government of Bihar, Patna.
2. The Principal Secretary, Registration, Excise and Prohibition Department, Government of Bihar, Patna.
3. The Collector-Cum-District Magistrate, Rohtas, District Rohtas.
4. The Superintendent of Excise , Rohtas , District- Rohtas.
5. The S.H.O. Dinara(Bhanas), Police Station, District- Rohtas.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Babu Nandan Prasad, Adv.
For the Respondent/s : Mr. Anil Kumar Sinha -Ga1

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 29-01-2018 This writ petition has been filed for unsealing the house/land/premise(s) which has been sealed in connection with Dinara (Bhanas) P.S. Case No. 308 of 2017 due to violation of Bihar Prohibition and Excise Act, 2016.

It is common ground that in various cases, identical in nature, pending finalization of the confiscation proceedings and criminal cases, house/land/premise(s) 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 house/land/premise(s) in question shall be unsealed and possession handed over to the petitioner on his furnishing Bank guarantee to the satisfaction of the Collector-cum-District Magistrate, Rohtas at Sararam, within a period of one week from the date of his furnishing the Bank guarantee and further undertaking not to alienate or create third party interest 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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