

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.568 of 2018

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Radhakant Prasad, Son of Sampat Prasad, Resident of Village-
Mohammadpur, P.O.- Teknewas, P.S.- Mohammadpur, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Home, Government of Bihar, Patna.
2. The District Magistrate-cum-Collector, Gopalganj.
3. The Superintendent of Police, Gopalganj.
4. The Chief Medical Officer, Gopalganj.
5. The In-charge Medical Officer, P.H.C. Sidhwalia, District- Gopalganj.
6. The Officer In-charge Mohammadpur Police Station, District- Gopalganj.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Naresh Prasad

For the Respondent/s : Mr. Md. Nadeem Seraj (GP5)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

2 27-04-2018 Petitioner is seeking unsealing of the two rooms of his house situated in Khata No.600, Survey No.806 at Thana Road Mohammadpur, District- Gopalganj, which has been sealed in connection with Mohammadpur P.S.Case No.68 of 2016.

Learned counsel for the petitioner submits that he is not an accused in the said case and in fact while the raiding party conducted the raid in the medical shop of the brother of the petitioner, not only shop in question was sealed but also the two rooms which are in possession of this petitioner.

Learned counsel for the State is present, even though, a counter affidavit is not on the record but from the statement of



facts received by the learned Advocate representing the State, it has been pointed out that the raiding party has sealed the medical shop which was being run by the brother of this petitioner without having a valid licence. Nothing incriminating has been brought to the notice of this Court as against this petitioner. Shop was being run without following the mandate and requirement of law.

Having heard learned counsel for the petitioner as also learned counsel for the State, since nothing incriminating has been brought to the notice of this Court as regards this petitioner and the claim of the petitioner is that his two rooms are only required to be de-sealed and not the medical shop which was in possession of his brother, this Court would direct provisional de-sealing of the two rooms belonging to this petitioner, which has been seized in connection with Mohammadpur P.S. Case No. 68 of 2016 within a period of one week from today on the petitioner furnishing two sureties to the satisfaction of the learned A.C.J.M.-^{1st}, Gopalganj.

Application stands disposed off.

(Rajeev Ranjan Prasad, J)

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