

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2717 of 2018

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Ram Vijay Singh, son of Shankar Singh, resident of Village- Bishunpur
Ratwara, P.O. Ratwara, P.S. Bajpatti, District-Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Registration, Excise and Prohibition Department, Government of Bihar, Patna.
2. The District Magistrate-cum-Collector, Sitamarhi, District-Sitamarhi.
3. The Superintendent of Police, Sitamarhi, District-Sitamarhi.
4. The Excise Superintendent, Sitamarhi, District-Sitamarhi.
5. The Station Head Officer, Sitamarhi Police Station, District-Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra 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 21-02-2018 This writ petition has been filed for a direction to the respondents to release the house of the petitioner bearing Khata No.815, Survey No.813 situated in Mauza Talkhapur, Dumra, Anchal-Dumra, P.S. Sitamarhi, District- Sitamarhi, seized money of Rs.1,30,000/- and three mobile sets which have been seized in connection with Sitamarhi P. S. Case No.807 of 2017 due to violation of the Bihar Prohibition and Excise Act, 2016.

It is common ground that in various cases, identical in nature, pending finalization of the confiscation proceedings or initiation of confiscation proceedings and criminal case, 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 or initiation of the confiscation proceedings and criminal case, the house in question, Rs.1,30,000/- and three mobile sets shall be released to the petitioner on his furnishing two sureties to the satisfaction of District Magistrate, Sitamarhi, within a period of one week from the date of his furnishing the sureties and further undertaking not to alienate or create third party interest or deal with the properties in question 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)

(Rajeev Ranjan Prasad, J)

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