

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.841 of 2018

Arising Out of PS.Case No. -null Year- null Thana -null District- SARAN

=====

Chandra Shekhar Choudhary @ Shekhar Choudhary, Son of Late Hira Lal Choudhary, resident of Village+ P.S. Garkha, District Saran.

.... Petitioner

Versus

1. The State of Bihar, through the Principal Secretary, Excise Department, Government of Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The Inspector General of Police, Tirhut Range at Muzafferpur.
4. The Deputy Inspector General of Police, Saran Range at Chhapra.
5. The District Magistrate, Saran.
6. The Superintendent of Police, Saran.
7. The Deputy Superintendent of Police, Saran.
8. The Station House Officer, Garkha Police Station, District Saran.

... Respondents

=====

Appearance :

For the Petitioner/s : Ms. Sanjana

For the Respondent/s : Mr. Vivek Prasad

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

Date: 04-05-2018

Heard learned counsel for the petitioner and learned counsel representing the State.

Petitioner has prayed for release of the shop situated at Chirand Road, Garkha, District – Saran in favour of the petitioner in connection with Garkha P.S. Case No. 374/2016 for the offences under Section 47 of Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the petitioner is ready and willing to abide by the terms and conditions which may be imposed by this Court for provisional release of the shop in question.

In the facts and circumstances, pending initiation or finalization of the confiscation proceeding, let the shop, if



belongs to the petitioner, be released provisionally within a week on production of proof of ownership in his favour subject to the following conditions:-

(i) Petitioner shall furnish a surety bond (not in form of cash or bank guarantee) to the satisfaction of the Collector cum District Magistrate, Saran.

(ii) Before de-sealing/unlocking of the shop and handing over to the petitioner, the District Magistrate, Saran shall get a photograph of the de-sealed/unlocked premises which will be duly certified in presence of the petitioner and a panchnama shall also be prepared to get the same on the record.

This application is, accordingly, disposed off.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

AFR/NAFR	
CAV DATE	
Uploading Date	07.05.2018
Transmission Date	07.05.2018

