

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9958 of 2018

In
Civil Writ Jurisdiction Case No. 790 of 2018

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Ashok Kumar @ Ashok Kumar Gupta

.... Petitioner/s

Versus

The State of Bihar & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mrs. Nitu Kumari, Advocate

For the Respondent/s : Mr. Kumar Manish -SC5

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

**HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD**

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 25-06-2018 Respondents to file counter affidavit within four weeks.

Having heard learned counsel for the parties, we find that the house of the petitioner has been sealed by the police officials in connection with Excise Case No.200 of 2017 for violation of the Bihar Prohibition and Excise (Amendment) Act, 2016 and Confiscation Case No.150 of 2017-18 has been disposed of on 27.11.2017.

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.

Keeping in view the aforesaid, it is directed that pending finalization of the criminal case or confiscation proceedings, the aforesaid house of the petitioner shall be unsealed and possession handed over to the petitioner on the petitioner furnishing original title deed of the property in question and two local sureties to the satisfaction of District Magistrate-cum-Collector, Muzaffarpur and further undertaking not to alienate or deal with the property in question or create a third party interest during the pendency of the confiscation proceedings and/or criminal case or prejudice the right of the State in the confiscation proceedings. The property of the petitioner should be unsealed and possession handed over to the petitioner within a period of one week from the date of furnishing the original title deed and sureties.

List the matter for analogous hearing along with L.P.A. No. 1647 of 2015.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

K.C.jha/-

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