

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15147 of 2018

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Krishna Ray, son of Vishwanath Ray, resident of Village Lohijra (Kunwarji Ka Tola), Police Station Sidhwalia, District Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department, Government of Bihar, Patna.
2. The Principal Secretary, Excise Department, Government of Bihar, Patna.
3. The District Magistrate-cum-Collector, Gopalganj.
4. The Superintendent of Police, Gopalganj.
5. The Officer-In-Charge (S.H.O.), Sidhwalia Police Station, Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh, Advocate
For the Respondent/s : Mr. Vivek Prasad -GP 7

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 01-08-2018 This writ petition has been filed for a direction to the respondents to unseal and release the sealed Poultry Farm of the petitioner, which has been sealed in connection with Sidhwalia P. S. Case No.30 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 initiation/finalization of the 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



initiation/finalization of the confiscation proceedings and criminal case, the Poultry Farm of the petitioner shall be released to the petitioner on his depositing original title deed of the property in question with the District Magistrate and furnishing two local sureties to the satisfaction of District Magistrate, Gopalganj, and further undertaking be given that he shall not alienate or create third party interest or deal with the property in question in any manner during the pendency of the confiscation proceedings and criminal case so as to cause adverse effect or prejudice to the rights of the State Government.

The Poultry Farm of the petitioner shall be released/unsealed within one week from the date of furnishing the original title deed of the property in question and two local sureties to the satisfaction of the District Magistrate.

With the aforesaid, the writ petition stands allowed and disposed of.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

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