

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14152 of 2018

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Ram Babu Sahni, Son of Late Lal Dhari Sahni, Resident of Village- Banstal,
Kachchi Dargah, P.S.- Didarganj, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Registration, Excise and Prohibition Department, Bihar, Patna.
2. The Excise Commissioner, Bihar Prohibition and Excise Act 2016, Bihar, Patna.
3. The Excise Officer, Bihar Prohibition and Excise Act 2016 Bihar Patna.
4. The District Collector, District- Patna, Bihar.
5. The Superintendent of Police, District- Patna, Bihar.
6. The Officer-in-Charge of Nadi Police Station, District- Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate
For the Respondent/s : Mr. Kumar Manish -SC-5

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 31-07-2018 Having heard learned counsel for the parties, we find

that the House of the petitioner which is situated at Mauza-
Sabalpur, Thana No. - 44, Khata No. 432, Kheshra No- 1509,
Area-1 Decimal of the petitioner has been sealed by the police
officials in connection with Special Case No.- 5886 of 2017
arising out of Nadi P.S. Case No. 69 of 2017 for violation of the



Bihar Prohibition and Excise (Amendment) Act, 2016.

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 which is situated at Mauza-Sabalpur, Thana No. - 44, Khata No. 432, Kheshra No- 1509, Area-1 Decimal 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, Patna, Bihar 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.



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

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

P.K.P./R.S.Sen-

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