

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13677 of 2018

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Muneshwar Prasad @ Munna Yadav, Son of Late Ragho Gope, Resident of
Mohalla-Tikuli Par, P.S. Bihar Sharif, District-Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise,
Government of Bihar, Patna.
2. The District Magistrate, Nalanda at Biharsharif.
3. The Senior Superintendent of Police, Nalanda, at Biharsharif.
4. The Anchaladhikari, Sadar, Biharsharif (Nalanda).
5. The S.H.O.-Cum-Officer Incharge, Bihar Police Station, District Nalanda.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ramadhar Shekhar, Advocate
For the Respondent/s : Mr. Vivek Prasad -GP7

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 30-07-2018

Having heard learned counsel for the parties, we

find that the shop of the petitioner has been sealed by the

police officials in connection with Bihar P. S. Case No. 86 of

2018 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 shop 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, Nalanda at Biharsharif 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)

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