

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14780 of 2018

=====

Shashikant Kunwar @ Mantu Singh, Son of Late Bagendra Singh, Resident
of Village-Nasira, P.S. Daudpur, District-Saran.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Registration, Excise and Prohibition Department, Government of Bihar, Patna.
2. The Excise Superintendant, Bihar Patna. null null
3. The District Magistrate, Chapra.
4. The Superintendant of Excise, Chapra.
5. The SHO, Daudpur Police Station.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Jai Kishore Sharma, Advocate
For the Respondent/s : Mr. Vikash Kumar - SC 11

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 01-08-2018 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 Daudpur P.S. Case No. 16 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 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, Chapra 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)

K.C.Jha/Uma/-

U			
---	--	--	--

