

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2045 of 2024

In
Criminal Writ Jurisdiction Case No.2009 of 2023

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Sunil Kumar Shukla Son of Arun Kumar Shukla Resident of Ward No.14,
Laxmi Narayanpur, Singhara Buzurg, Police Station - Mahua, District -
Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through Superintendent of Police, Vaishali, Hajipur
Vaishali, Hajipur.
2. The Sub Divisional Magistrate, Sadar Hajipur, Vaishali.
3. The Sub Divisional Police Officer, Sadar Hajipur, Vaishali.
4. The Circle Office, Sadar Hajipur, Vaishali.
5. The Police Sub-Inspector -cum- Officer-in-Charge, Town P.S., Hajipur,
Vaishali.
6. The Police Sub Inspector-cum-Officer Incharge Town P.S., Hajipur, Vaishali.
7. The Police Sub Inspector-cum- Investigating Officer, Town P.S., Hajipur,
Vaishali.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Awnish Kumar, Adv.
For the State/Respondents	:	Mr. S.D. Yadav, AAG-9, Mr. Braj Bhushan Mishra, AC to AAG-9

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CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

4 29-11-2024 The instant application for modification of the order
dated 18th March, 2024, passed in Cr.W.J.C. No. 2009 of 2023,
is taken up for hearing, in presence of the learned counsels for
the parties.

2. The petitioner seeks modification of the operating
portion of the order dated 18th March, 2024, recorded in
paragraph 11.

3. By virtue of the said order, the building which was



directed to be released in favour of the petitioner namely Sunil Kumar Shukla, on giving an undertaking that the said building would not be used in future as hotel and secondly that the said building would not be used for immoral purpose in future.

4. It is contended by the learned Advocate for the petitioner that the petitioner is ready to submit an undertaking that the said building would not be used for immoral purpose, but the restriction to the effect that the said building cannot be used as hotel may be waived with any stringent condition, because of the fact that the building was constructed for hotel purpose by the side of the highway. The building cannot be used for any other purpose.

5. The learned Advocate on behalf of the State/respondents, on the other hand, submits that the above mentioned condition restricting the petitioner to run hotel business in the said building may be waived with some stringent condition.

6. In view of such submission made by the learned Advocate on behalf of the State/respondents, the order passed on 18th March, 2024 is modified with condition that the petitioner shall submit an undertaking before the District Magistrate, Vaishali, Hajipur as well as the S.H.O. and Block



Development officer of the concerned P.S. and Block with an undertaking that the said hotel shall not be used in future for immoral trafficking and if the said hotel is used for any such immoral act, the Law Enforcing Authority will be at liberty to seal the hotel with any further order.

7. Accordingly, the instant M.J.C. No. 2045 of 2024 is disposed of.

(Bibek Chaudhuri, J)

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