

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.947 of 2016

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Rizwanul Haque S/o Nazmul Haque, Resident of Mohalla Nawab Road,
Chandwara, P.S. Town, Dist.- Muzaffarpur.

.... Petitioner

Versus

1. The State of Bihar through Chief Secretary, Govt. of Bihar, Patna.
2. The Chief Secretary, Govt. of Bihar, Patna.
3. The Director General of Police, Bihar, Patna.
4. The Inspector General of Police, Tirhut Range, Muzaffarpur.
5. The District Magistrate Muzaffarpur.
6. The Superintendent of Police, Muzaffarpur.
7. The Excise Superintendent, Muzaffarpur.
8. The Sub Inspector, Excise Nagar Anchal, Muzaffarpur.

.... Respondents

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Appearance :

For the Petitioner : Mr. Anish Kumar, Advocate
For the Respondents : Mr. Partha Sarthy, GA-4

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CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH

And

HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH)

4. 08-11-2016

It appears that pursuant to an inspection in a residential hotel and various places, the kitchen, backyard and others, several bottles of liquor were found including some empty bottles for which the entire hotel premises has been sealed leading to registration of Excise Case No. 239 of 2016 under Sections 47(a), 53(c), 54 and 57 of Bihar Excise Amendment Act and all accused persons were produced before Chief Judicial Magistrate, Muzaffarpur.

As the matter is pending investigation and inquiry, we would not comment upon allegations of the

facts. Suffice to say that the proceedings would take its own due course, but for the time being premises have to be unsealed because it is premature to hold the management guilty or involved in any manner.

We would, accordingly, direct the authorities, who had sealed the premises, to unseal the premises forthwith upon undertaking to be furnished by the petitioner to the criminal court in the criminal proceedings that it would abide by the criminal court in regard to the property in question.

We would, however, direct unsealing of the premises would not prejudice the case of the parties either in the confiscation case or in any other criminal case in any manner.

With the above direction and observation, this application stands disposed of.

(Navaniti Prasad Singh, J.)

Rajeev/-

(Jitendra Mohan Sharma, J.)

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