

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13943 of 2017

Kiran Devi, W/o Sunil Kumar Prasad, Resident of Village- Sihauta Bazar,
P.S.- Maharajganj, District- Siwan. Presently residing at Chota Telpa, Police
Line Chapra, P.S.- Chapra Town, District- Saran.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Registration, Excise and Prohibition Department, Govt. of Bihar, Patna.
2. The District Magistrate, Chapra, Saran.
3. The S.H.O., Town Police Station, Chapra.
4. The Sub-Inspector, Town Police Station, Chapra.
5. The Superintendent of Excise, Chapra.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar, Advocate

For the Respondent/s : Mr. Pawan Kumar, AC to GA1

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 21-09-2017

Having heard learned counsel for the parties, we find that the house and shop of the petitioner in Khata No.211, Mohalla- Chota Telpa, Gandhi Chauk, Chapra measuring 9 Dhoor and 5 Dhoorki, has been sealed vide order dated 3.9.2017 by the police officials in connection with Town P.S. Case No. 377 of 2017 registered for the offences under Sections 30(a) 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.

In view of the above, District Magistrate-cum-Collector, Chapra, is directed to ensure that the house in question mentioned hereinabove, is unsealed and possession handed over to the petitioner forthwith, in connection with the aforementioned case, on his furnishing two surety bonds to the satisfaction of District Magistrate-cum-Collector, Chapra subject to the condition that the petitioner shall not alienate or deal with the house in question in any manner so as to prejudice the right of the State in confiscation proceeding.

With the aforesaid, this application is disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

K.C.Jha/-

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