

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Writ Jurisdiction Case No. 2239 of 2017**

Arising Out of P.S. Case No. -null Year- null Thana -null District- PATNA

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Ramji Prasad, Son of Sri Tulsi Sah, Resident of Mohalla - Bigrahpur, New Bus  
Stand Road, P.S. - Jakkanpur District - Patna.

.... .... Petitioner

Versus

1. The State of Bihar.
2. The Commissioner, Excise, Patna, Bihar.
3. The Collector, Patna.
4. The Senior Superintendent of Police, Patna.
5. The Officer-Incharge, Jakkanpur, Police Station, District - Patna.

.... .... Respondents

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**Appearance :**

For the Petitioner : Mr.

For the Respondents : Mr.

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**

**ORAL JUDGMENT**

**Date: 22-11-2017**

Heard learned counsel for the parties.

2. The petitioner is the owner of the house, situated at  
Plot No. 13, Khesra No. 114, Ward No. 21/30, Mauza Bigrahpur,  
New Bus Stand Road, P.S. Jakkanpur, District Patna, which was  
under tenancy of Mr. Anupam Kumar. From the said house liquor was  
recovered and Jakkanpur P.S. Case No. 130 of 2017 was registered. In  
the same case, the house was sealed.

3. The present application has been filed for  
unsealing of the house in favour of the petitioner.

4. Submission of the learned counsel for  
the petitioner is that no purpose would be served by  
continued sealing of the said house and the tenant is ready



to file affidavit before the learned court below that he has no objection, if the house is released in favour of the petitioner.

5. After hearing the parties and considering the fact that in similar matter, a Division Bench of this Court in Cr.W.J.C. No. 605 of 2016 (**Smt. Manorama Devi @ Manorma Devi vs. The State of Bihar & Ors.**) has ordered unsealing of the premise, let the aforesaid premise of the petitioner be unsealed at once and confiscation proceeding, if any, going on that house, shall remain stayed till disposal of the L.P.A. No. 1647 of 2015 (**Baleshwar Roy vs. The State of Bihar & Ors.**).

6. With the aforesaid observation, this writ application stands disposed of.

**(Birendra Kumar, J)**

Kundan/-

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| AFR/NAFR          | N.A.       |
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