

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.1295 of 2017

Arising Out of PS.Case No. -null Year- null Thana -null District- KHAGARIA

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1. Shakuntala Devi Wife of Late Madan Mohan Prasad resident of Mill Road, Ward No. 8, P.S. - Khagaria Town, District - Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Chief Secretary, Govt. of Bihar, Patna.
3. The Principal Secretary, Excise and Prohibition Department, Govt. of Bihar, Patna.
4. The District Magistrate, Khagaria.
5. The Superintendent of Police, Khagaria.
6. The Circle Officer, Khagaria.
7. The Station House Officer, Town Police Station, Khagaria.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prashant Sinha, Advocate
For the Respondent/s : Mr. Lalit Kishore, PAAG

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date: 29-08-2017

Heard learned counsel for the parties.

2. The house of the petitioner was sealed by the authorities for alleged violation of the provisions of excise laws allegedly committed by some other persons for which Khagaria P.S. Case No.48 of 2017 has been registered.

3. Prayer of the petitioner in this writ petition is to unseal the house of the petitioner on the ground that the jurisdiction of the authority to seal the residential premises is subjudice before a larger Bench of this Court considering the aforesaid pendency in



Cr.W.J.C. No.605 of 2016, a Division Bench of this Court had ordered unsealing of the house on 06.10.2016 in favour of the owner.

4. Considering the aforesaid binding decision, let the respondent unseal the house of the petitioner and hand over the possession of the same to the petitioner immediately.

5. This writ application stands disposed of.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	30.08.2017
Transmission Date	30.08.2017

