

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15825 of 2017

=====

Lalita Devi @ Lalti Devi, W/o Ramji Prasad, resident of village- Gopi Bigha,
P.S. Magadh Medical District- Gaya

... .. Petitioner/s

Versus

1. The State Of Bihar through the Excise Commissioner, Government of Bihar, Patna
2. The District Magistrate, Gaya, District- Gaya
3. The Senior Superintendent of Police, Gaya, District- Gaya
4. The Superintendent of Police, Excise, Gaya, District- Gaya

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Sinha, Advocate
For the Respondent/s : Mr. Anil Kumar Sinha -GA1

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 06-11-2017 The house of the petitioner situated at village- Gopi Bigha, Ward No. 46, P.S. Magadh Medical College, District- Gaya in Khata No. 531, Plot No. 467 has been sealed and recommended for confiscation to the District Magistrate, Gaya in connection with Magadh Medical P.S. Case No. 123/2017 under the Bihar Prohibition and Excise Act, 2016.

Seeking release of the house in question, this writ petition has been filed and it is common ground that in various cases, similar petitions have been allowed and pending finalization of the confiscation proceedings, seized house has been directed to be unsealed.



Keeping in view the aforesaid, this petition is also allowed and the house in question, situated at village- Gopi Bigha, Ward No. 46, P.S. Magadh Medical College, District- Gaya in Khata No. 531, Plot No. 467 shall be unsealed and possession handed over to the petitioner forthwith on his furnishing adequate Bank Guarantee to the satisfaction of the District Magistrate, Gaya, subject to the condition that the petitioner shall not alienate or create any third party interest 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, the petition stands disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

spandey/-

U			
---	--	--	--

