

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17169 of 2017

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Chaturi Devi, Wife of Late Thakur Prasad Yadav, resident of Mohalla-
Nagarpalika Road, Ward No. 11, P.S.- Khagaria, District- Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Excise Department, Bihar, Patna.
2. The Divisional Commissioner, Excise Department, Munger Division, Munger.
3. The District Magistrate, Khagaria.
4. The Superintendent of Police, Khagaria.
5. The Officer In-Charge, Khagaria Town P.S. District- Khagaria.
6. The Circle Officer, Khagaria.
7. Sunil Kumar, ASI Khagaria, P.S. District- Khagaria.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ranjeet Kumar Singh, Adv. Mr. Pawan Kumar Singh, Adv.
For the Respondent/s	:	Mr. ANIL KUMAR SINHA -GA1 Mr. Pawan Kumar, Adv.

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 23-11-2017 Having heard learned counsel for the parties, we find that the house of the petitioner has been sealed vide order dated 14.16.2017 by the police officials in connection with Khagaria Town P.S. Case No.391 of 2017 registered for the offences under Section 30(a)/36/38 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



vehicles 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, pending criminal case or confiscation proceedings, we direct the District Magistrate-cum-Collector, Khagaria 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, 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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