

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17664 of 2017

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1. Shobha Kumari, daughter of Late Raj Kumar Sah,
 2. Chandravati Devi, Wife of Late Anil Sah, Both residents of Mohallah- Bhagwan Bazar, Police Station- Bhagwan Bazar, District- Saran, Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise, Government of Bihar, Patna.
2. The District Magistrate, Saran, Chapra.
3. The Superintendent of Police, Saran, Chapra.
4. The Officer-in-Charge, Bhagwan Bazar Police Station, Saran, Chapra.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Parijat Saurav, Advocate
For the Respondent/s : Mr. Vikash Kumar - SC-11

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 08-12-2017 Having heard learned counsel for the parties, we find that the house and the betel shop of the petitioners in Circle No.21, Holding No.740 situated in Bhagwan Bazar Mohallah, Police Station-Bhagwan Bazar, District-Saran Chapra, have been sealed by the police officials in connection with Bhagwan Bazar P.S. Case No. 438 of 2017 registered for the offences under Sections 30 of the Bihar Prohibition and Excise Act, 2016.

It is common ground that in various cases, identical in nature, pending finalization of the confiscation proceedings and /or criminal 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 and the shop in question mentioned hereinabove, is unsealed and possession handed over to the petitioners forthwith, in connection with the aforementioned case, on their furnishing two sureties to the satisfaction of District Magistrate, Chapra subject to the condition that the petitioners shall not alienate or deal with the house in question in any manner so as to prejudice the right of the State in confiscation proceedings and/or the criminal proceedings.

With the aforesaid, this application is disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

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