

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.2560 of 2017

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

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Motilal Raut @ Motilal Mukhiya, Son of Sri Ugrim Raut, Resident of Village-
Pipra Bind Toli, P.S.- Baikunthpur, District- Gopalganj.

.... Petitioner

Versus

1. The State of Bihar through Principal Secretary, Excise and Prohibition Department, Bihar, Patna.
2. The Collector, Gopalganj.
3. Superintendent of Police, Gopalganj.
4. Station House Officer, Baikunthpur Police Station, District- Gopalganj.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Naresh Chandra, Adv.

For the Respondent/s : Mr. Vikash Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 20-12-2017

Heard learned counsel for the parties.

2. The writ application has been filed for a direction to the respondent to unseal the residential house of the petitioner which was seized in connection with Baikunthpur P.S.Case No.172 of 2016 for alleged violation of the Bihar Excise Laws .

3. The learned counsel for the petitioner submits that 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.)** in similar circumstances has ordered unsealing of the premises.



4. Considering the urgency of the matter and the aforesaid binding precedent, let the respondent authorities immediately unseal the premises of the petitioner and handover the possession of the house to the petitioner with further condition that the petitioner shall not dispose of the said house or put under encumbrance without permission of the Collector concerned.

5. The operation of Confiscation Case No. 179 of 2017 shall remain stayed till disposal of the Cr.W.J.C. aforesaid and the same shall be subject to the final result of the Cr.W.J.C.

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

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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