

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.900 of 2018

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Kusum Devi @ Kusum Kumari, wife of Late Bharat Mukhiya, resident of
Village- Mallah Tola, Ward No. 5, P.S.- Jaynagar, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Excise Department,
Govt. of Bihar, Old Secretariat, Patna.
2. The District Magistrate, Madhubani.
3. The Superintendent of Police, Madhubani.
4. The S.H.O. Jaynagar Police Station, Madhubani.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Respondent/s : Mr. Anil Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD
ORAL ORDER

2 03-05-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner has prayed for de-sealing of her house,
which has been sealed/seized in connection with Jay Nagar P.S.
Case No.447 of 2017 registered under Sections 272/273 of the
Indian Penal Code and Sections 30(a)/30(d) of the Bihar
Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the
house is a residential house of the petitioner and she is ready and
willing to abide by the terms and conditions which may be
imposed by this Court for the purpose of de-sealing of the
residential house.



In the facts and circumstances, the Collector-cum-District Magistrate, Madhubani is directed to de-seal the house of the petitioner within a period of one week from today on her furnishing bank guarantee or original title deed of the property in question or any other security of like nature to the satisfaction of the Collector-cum-District Magistrate, Madhubani.

The petitioner undertakes that she would not deal with or alienate the house in question or create any interest adverse to the interest of the State during the pendency of the confiscation proceeding and shall not allow any tenant to occupy the house in question without there being a prior verification of the tenant and she shall not allow any illegal act to be committed in the house in question.

(Rajeev Ranjan Prasad, J)

Arvind/-

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