

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.290 of 2018

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1. Krishna Devi @ Rina Devi W/o Late Bindeshwar Khirhar, R/o Village-
Amghatta Khirhar Tola, P.S.- Sitamarhi, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar Through The Principal Secretary, Excise, Prohibition & Registration Department, Government of Bihar, Patna.
2. The Collector Cum District Magistrate, Sitamarhi.
3. The Superintendent of Excise, Sitamarhi.
4. The Officer In Charge of Sitamarhi Police Station, District- Sitamarhi.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar

For the Respondent/s : Mr. Vikash Kumar (SC-XI)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD
ORAL ORDER

2 29-03-2018 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner in the present case has prayed for de-
sealing of the house, which has been sealed in connection with
Sitamarhi P.S. Case No.564 of 2017, District-Sitamarhi for the
offence under Sections 56, 57, 58, 61, 62 and 63 of the Bihar
Prohibition and Excise Act, 2016.

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

Considering the facts and circumstances, pending



finalization of the confiscation proceeding, let the house of the petitioner be de-sealed provisionally on production of document of title in respect of the house in question and the petitioner furnishes a surety bond of Rs.3,00,000/- (three lakhs) (not in form of bank guarantee or cash) with two sureties of the like amount to the satisfaction of District Magistrate, Sitamarhi/authority concerned.

The District Magistrate, Sitamarhi shall get prepared a photograph duly certified and a Panchnama of the house in sealed condition before de-sealing of the same and the same will be kept on the record.

The petitioner undertakes not to challenge the said photograph and Panchanama in course of trial or the confiscation proceeding, as the case may be.

The petitioner shall also give an undertaking that she will not deal with the house in question in favour of any third party or create any interest adverse to the interest of the State without permission of the authority concerned/Court and shall not allow any illegal act to be committed in the house in question. The petitioner shall also give an undertaking that if any portion of the house is rented out she will get done prior police verification of the said person before handing over the possession of any part of the house.



The application stands disposed of.

Arvind/-

(Rajeev Ranjan Prasad, J)

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