

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1921 of 2018

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Poonam Devi, wife of Prafulla Chandra Singh, Resident of Village- Ekma
Tole Bhuli, P.S.- Ekma, District- Saran at Chapra. At present residing at
House No. M2/33, S.K. Puri, Boring Road, P.S.- S.K. Puri, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Registration, Excise and Prohibition Department, Government of Bihar, Patna.
2. The District Magistrate-cum- Collector, Saran at Chapra.
3. The Assistant Excise Commissioner, Saran at Chapra.
4. The Superintendent of Excise, Saran at Chapra.
5. The Superintendent of Police, Saran at Chapra.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate
For the Respondent/s : Mr. ANIL KR.SINHA-GA1

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 02-02-2018 The house of the petitioner situated in village Ekma, P.S.

Ekma, District- Saran at Chapra bearing Khata No. 1302,

Survey No. 4680 has been sealed and recommended for

confiscation to the District Magistrate, Saran at Chapra in

connection with Ekma P.S. Case No. 28/2017 under the Bihar

Prohibition and Excise Act, 2016.

Seeking release of the house in question, this writ petition

has been filed and it is common ground that in various cases,

similar petitions have been allowed and pending finalization of

the confiscation proceedings, seized house has been directed to



be unsealed.

Keeping in view the aforesaid, this petition is also allowed and the house in question, situated at village Ekma, P.S. Ekma, District- Saran at Chapra bearing Khata No. 1302, Survey No. 4680 shall be unsealed and possession handed over to the petitioner forthwith on her furnishing two sureties to the satisfaction of the District Magistrate, Saran at Chapra within a period of one week from the date of furnishing the sureties, subject to the condition that the petitioner shall not alienate or create any third party interest 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, the petition stands disposed of.

(Rajendra Menon, CJ)

spandey/-

(Anil Kumar Upadhyay, J)

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