

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.625 of 2018

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Jitendra Sahani, Son of Laldeo Sahani, Permanent resident of Village- Basti Sarsikan, Chehrakala, P.S.- Goraul (O.P., Kathara), Dist- Vaishali and presently resides at Village- Bishanpura, Sector- 58, Noyada, District- Gautam Buddha Nagar, Uttar Pradesh.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department, Government of Bihar, Patna.
2. The Collector-cum-District Magistrate, Muzaffarpur.
3. The Superintendent of Police, Muzaffarpur.
4. The Station House Officer, Police Station, Ahiyapur, Muzaffarpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Nityanand

For the Respondent/s : Mr. Kumar Manish (SC-5)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 26-04-2018 Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner has prayed for de-sealing of his house situated at village-Rasalpur, Mohalla-Doctors Colony, Road No.10, P.S.-Ahiyapur, District-Muzaffarpur, which has been sealed/seized in connection with Ahiyapur P.S. Case No.787 of 2017 registered under Sections 272/273 of the Indian Penal Code and Sections 30(a)/38(1)(ii)/41/47 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 he 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, Muzaffarpur is directed to de-seal the house of the petitioner within a period of one week from today on his 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, Muzaffarpur.

The petitioner undertakes that he 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 he shall not allow any illegal act to be committed in the house in question.

The application stands disposed of.

(Rajeev Ranjan Prasad, J)

Arvind/-

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