

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11113 of 2018

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Lilawati Devi @ Lalit Devi wife of Surendra Chaudhary resident of Village -
Kohra, Police Station - Makhdumpur in the district of Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise,
Government of Bihar, Patna.
2. The Principal Secretary, Excise Department, Government of Bihar, Patna.
3. The District Magistrate-cum-Collector, Jehanabad.
4. The Superintendent of Police, Jehanabad.
5. The Officer-in-Charge Makhdumpur P.S. in the district of Jehanabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate
For the Respondent/s : Mr. Anil Kr. Sinha- Gal

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 21-06-2018 Having heard learned counsel for the parties, we find

that the house of the petitioner situated ovr the land bearing

Khata No.02, Plot No.2335, area 1.5 Katha, situated at Mauza-

Kohra, P.S. Makhdumpur, district Jehanabad, has been sealed

by the police officials in connection with Makhdumpur (Tehta)

P.S. Case No.207 of 2017 for violation of the Bihar Prohibition

and Excise (Amendment) Act, 2016.

It is common ground that in various cases, identical

in nature, pending finalization of the confiscation proceedings

properties have been directed to be released by this Court on

various conditions and we see no reason to make a deviation in



the present case.

Keeping in view the aforesaid, it is directed that pending finalization of the criminal case or confiscation proceedings, the aforesaid house of the petitioner shall be unsealed and possession handed over to the petitioner on the petitioner furnishing original title deed of the property in question and two local sureties to the satisfaction of District Magistrate-cum-Collector, Jehanabad and further undertaking not to alienate or deal with the property in question or create a third party interest during the pendency of the confiscation proceedings and/or criminal case or prejudice the right of the State in the confiscation proceedings. The property of the petitioner should be unsealed and possession handed over to the petitioner within a period of one week from the date of furnishing the original title deed and sureties.

With the aforesaid, this writ petition stands allowed and disposed of.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

K.C.Jha/-

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