

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.445 of 2018

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Chandrakanta Devi, W/o Late Satya Narayan Prasad, resident of Mohalla-New Colony Balughat, Road No. 9, P.S. Town, Anchal Mushahri, District Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar through Its Chief Secretary Old Secretariat, Patna.
2. The Principal Secretary, Department of Excise, Bihar, Patna.
3. The Principal Secretary, Home Police, Bihar, Patna.
4. The District Magistrate, Muzaffarpur District Muzaffarpur.
5. The Superintendent of Police, Muzaffarpur.
6. S.H.O. Town, P.S. Muzaffarpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ratneshwar Prasad

For the Respondent/s : Mr. Vikash Kumar (SC-11)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 25-04-2018 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 Muzaffarpur Town P.S. Case No.162 of 2017, District-Muzaffarpur for the offence under Sections 272, 273 and 290 of the I.P.C. and Sections 30(d), 33/34/36 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 (not in form of bank guarantee or cash) with two sureties to the satisfaction of District Magistrate, Muzaffarpur/authority concerned within one week.

The District Magistrate, Muzaffarpur 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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