

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10184 of 2018

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Gita Devi, wife of Haridev Manjhi, resident of village- Pokhardih, P.S.-
Kopa, District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department,
Government of Bihar.
2. The District Magistrate, Saran.
3. The Senior Superintendent of Police, Saran.
4. The Officer-In-Charge, Kopa Police Station, Saran.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Basant Kumar Singh, Advocate

For the Respondent/s : Mr. Lalit Kishore -AG

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN

PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 26-06-2018

Having heard learned counsel for the parties, we find

that the house of the petitioner has been sealed by the police

officials in connection with Kopa P.S. Case No.55 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, Saran 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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