

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10766 of 2018

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Urmila Devi, W/o Rama Shankar Prasad, R/o Village- Mahavir Asthan Purani
Bazar, Ward No.11, Chakmahila, P.S. Sitamarhi, District-Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar, through Principal Secretary Excise Department, Patna, Bihar.
2. The Collector/District Magistrate, Sitamarhi.
3. The Superintendent of Police, Sitamarhi.
4. The Excise Superintendent, Sitamarhi.
5. The Excise Inspector, Sitamarhi.
6. The Officer-in- Charge, Sitamarhi, P.S. Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate
For the Respondent/s : Mr. Vikash Kumar- SC 11

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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 This writ petition has been filed for a direction to the respondents to unseal and release the shop of the petitioner, which have been sealed in connection with Sitamahri P. S. Case No.68/2018 due to violation of the Bihar Prohibition and Excise Act, 2016.

It is common ground that in various cases, identical in nature, pending initiation/finalization of the confiscation proceedings and criminal case, 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



initiation/finalization of the confiscation proceedings and criminal case, the shop of the petitioner in question shall be released to the petitioner on her depositing original title deed of the house in question with the District Magistrate and furnishing two local sureties to the satisfaction of District Magistrate, Sitamarhi, and further undertaking be given that she shall not alienate or create third party interest or deal with the properties in question in any manner during the pendency of the confiscation proceedings and criminal case so as to cause adverse effect or prejudice to the rights of the State Government.

The shop of the petitioner shall be released/ unsealed within one week from the date of furnishing the original title deed of the shop in question and two local sureties to the satisfaction of the District Magistrate.

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

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

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