

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1452 of 2018

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Veena Devi, wife of Bhim Prasad Singh resident of Ward No. 03, Ramnagar, P.S. – Ramnagar, Khawan District – Madhepura at temporary resident of Flat No. 204, Wazir Apartment, New Patliputra Colony, P.S. – Patliputra District – Patna.

.... Petitioner/s

Versus

1. The State of Bihar Through The Principal Secretary Excise Dept. Bihar, Patna
2. The Inspector General of Bihar, Home Department, Government of Bihar, Patna.
3. The Director General of Police, Home Department, Government of Bihar, Patna.
4. The Superintendent of Police Patna Range, Patna.
5. The S.H.O. Patliputra Police Station, Patna.
6. The Investigating Officer, Patliputra Police Station, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ Manu

For the Respondent/s : Mr. Anil Kumar Sinha (Ga1)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2. 12-09-2018

This application has been filed for unsealing/opening of the room of Flat No. 204 situated in Wazir Apartment at New Patliputra Colony, P.S.-Patliputra which has been sealed by the police in connection with Patliputra P.S. Case No. 149 of 2018 for offences under Section 30(k), 38(i) (ii), 41(i) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that as per the allegations, 59.625 ml. illegal liquor has been recovered from the room of Flat No. 204, situated in Wazir Apartment at New Patliputra Colony, P.S.-Patliputra. It is submitted that petitioner has not received any notice of confiscation proceeding for the property in question.

Learned counsel for the State is present.



Pending initiation/finalization of confiscation proceeding pursuant to Patliputra P.S. Case No. 149 of 2018, let the room of Flat No. 204, situated in Wazir Apartment at New Patliputra Colony, P.S.-Patliputra be de-sealed and possession be handed over to the petitioner on the petitioner depositing the original title deed of the property in question as security with one surety to the extent of value of the property with the court of learned Special Judge, Excise, Patna. On submission of the original title deed of the property in question with the surety, the room of the aforesaid Flat shall be de-sealed and possession be handed over within two days thereof.

The owner of the property shall undertake that during the pendency of the confiscation proceeding he will not deal with the property in question and shall not create any third party interest whatsoever. Further that no illegal activity will be allowed to take place in the Flat in question.

The application is allowed to the extent as stated hereinabove.

(Rajeev Ranjan Prasad, J)

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