

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.6931 of 2018**

Chandan Kumar Bharti @ Chandan Mahto, son of Biltu Mahto, resident of Village Santu Nagar, Ward No.2, P.S. Town, District Madhubani.

... .. Petitioner

Versus

1. The State of Bihar through its Principal Secretary, Excise Department, Government of Bihar, Old Secretariat, Patna.
2. The District Magistrate, Madhubani.
3. the Superintendent of Police, Madhubani.
4. The S.H.O. Madhubani Town Police Station, Madhubani.

... .. Respondent/s

with

**Civil Writ Jurisdiction Case No. 6860 of 2018**

Biltu Mahto son of Ramji Mahto, resident of Village Santu Nagar, Ward No.2, P.S. Town, District Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Excise Department, Government of Bihar, Old Secretariat, Patna.
2. The District Magistrate, Madhubani.
3. The Superintendent of Police, Madhubani.
4. The S.H.O. Madhubani Town Police Station, Madhubani.

... .. Respondent/s

**Appearance :**

(In Civil Writ Jurisdiction Case No. 6931 of 2018)

For the Petitioner/s : Mr. Gagan Deo Yadav, Advocate

For the Respondent/s : Mr. Anil Kumar Sinha -GA-1

(In Civil Writ Jurisdiction Case No. 6860 of 2018)

For the Petitioner/s : Mr. Gagan Deo Yadav, Advocate

For the Respondent/s : Mr. Anil Kumar Sinha -GA-1

**CORAM: HONOURABLE THE CHIEF JUSTICE**

**and**

**HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**

**ORAL ORDER**

**(Per: HONOURABLE THE CHIEF JUSTICE)**

3      17-07-2018

Considering the fact that the case in hand is not a simple case with regard to the seizer of the vehicle in question and sealing of the house in question under the Bihar Prohibition



and Excise Act, but it is a case where Narcotic Substances in large quantity have been seized and the provisions of the NDPS Act is also made applicable, we are not inclined to exercise its extra ordinary jurisdiction in the matter in the petition under Article 226 of the Constitution. The petitioners to approach the Trial Court or Special Court where cognizance in the matter can be taken and Court shall consider various aspects of the matter and take decision with regard to release of the vehicle and unsealing of the house in question.

Granting aforesaid liberty to the petitioners, we dispose of the matters.

**(Rajendra Menon, CJ)**

**( Rajeev Ranjan Prasad, J)**

Sunil/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

