

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19070 of 2017

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Parmila Devi, W/o Subhash Paswan, R/o Lalmatiya P.S. Kharia, District-
Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary of Excise Govt. of Bihar at Patna.
2. The District Magistrate, Jamui.
3. The Superintendent of Excise District Jamui.
4. The Superintendent of Police, Jamui.
5. The S.H.O. Khaira Jamui.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar, Advocate
For the Respondent/s : Mr. Vivek Prasad, GP 7

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 03-01-2018 Having heard learned counsel for the parties, we find that the premises of the petitioner in Khata No.36, P.M. House Scheme, under Mauza-Kumardih Gidhour have been seized by the police officials in connection with Town P.S. Case No.288 of 2017 registered for the offences under Sections 30(a) 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.



In view of the above, pending finalization of the confiscation proceedings, the District Magistrate-cum-Collector, Jamui, is directed to ensure that the premises in question mentioned hereinabove, is unsealed and possession handed over to the petitioner forthwith, in connection with the aforementioned case, on her furnishing two sureties to the satisfaction of District Magistrate-cum-Collector, Jamui subject to the condition that the petitioner shall not alienate or create third party interest or deal with the house in question in any manner so as to prejudice the right of the State in confiscation proceedings.

With the aforesaid, this writ petition is disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

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