

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.4932 of 2018**

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Munni @ Munni Devi, wife of Shailendra Chaudhary @ Satendra Chaudhary,  
resident of Village- Garkha, P.S.- Garkha, District- Saran at Chapra.

.... .... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Registration, Excise and Prohibition Department, Government of Bihar, Patna.
2. The District Magistrate-cum- Collector, Saran at Chapra.
3. The Assistant Excise Commissioner, Saran at Chapra.
4. The Superintendent of Excise, Saran at Chapra.
5. The Superintendent of Police, Saran at Chapra.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Dewendra Narayan Singh

For the Respondent/s : Mr. VIKASH KUMAR -SC11

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**CORAM: HONOURABLE THE CHIEF JUSTICE**

**and**

**HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**

**ORAL JUDGMENT**

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

**Date: 21-03-2018**

This writ petition has been filed for release of the house of the petitioner situated at Village Chirand Road, Garkha, P.S. Garkha, District Saran at Chapra under Thana No. 440, Tauzi No. 6184, Khata No. 12, Survey No. 470, which has been seized in connection with Garkha P.S. Case No. 58 of 2017 due to violation of the Excise Act. The prayer made in the writ petition is to release / unseal the house in question pending disposal of the confiscation proceedings and criminal case, if any.

It is a common ground that in various cases, identical in nature, pending finalization of the confiscation proceedings houses have been directed to be released / unsealed 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 confiscation proceedings and criminal case, if any, the house in question shall be released / unsealed and possession be given to the petitioner on the petitioner depositing the original title deeds of the property in question along with two local sureties to the satisfaction of District Magistrate-cum-Collector, Saran at Chapra, and on further undertaking that the petitioner shall not alienate or deal with the house in question or create a third party interest during the pendency of the confiscation proceedings and criminal case, if any, or prejudice the right of the State in confiscation proceeding. The aforesaid house shall be released / unsealed within one week from the date of depositing of the title deeds.

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

**(Rajendra Menon, CJ)**

**(Rajeev Ranjan Prasad, J)**

Arvind.

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