

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5738 of 2018

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Sushila Devi, Wife of Late Ram Dayal Choudhary, Resident of Village-
Maharajganj, P.S.- Chapra (Muffassil), District- Saran at Chapra (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Registration, Excise & Prohibition Department, Government of Bihar, Patna.
2. The Principal Secretary, Registration, Excise & Prohibition Department, Government of Bihar, Patna.
3. The District Magistrate, Saran at Chapra, District- Saran at Chapra.
4. The Superintendent of Excise, Saran at Chapra, District- Saran (Bihar).
5. The Superintendent of Police, Saran at Chapra, District- Saran (Bihar).
6. The Officer-in-Charge, Chapra (Muffassil) Police Station, Saran at Chapra (Bihar).
7. The Investigating Officer, Chapra (Muffassil) Police Station, District- Saran at Chapra (Bihar).

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar, Advocate
For the Respondent/s : Mr. Vivek Prasad- GP7

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 03-04-2018 This writ petition has been filed for a direction to the respondents to unseal and release the sealed house of the petitioner, which have been sealed in connection with Chapra Muffassil P. S. Case No.151 of 2017 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 house 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, Saran at Chapra 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 house of the petitioner shall be released/ unsealed within one week from the date of furnishing the original title deed of the house 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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