

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.545 of 2018

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Shakuntala Sinha, W/o Shyam Narayan Singh, R/o Village- Tarpar, P.S.-
Chiksauram, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Department of Excise,
Govt. of Bihar, Patna.
2. The District Magistrate, Nalanda at Biharsharif.
3. The Superintendent of Police, Nalanda at Bhiarsharif.
4. The Deputy Superintendent of Police, Hilsa, District- Nalanda.
5. The Officer Incharge of Hilsa Police Station, District- Nalanda.
6. The Investigating Officer of Hilsa P.S.- Case No. 238 of 2017, District-
Nalanda.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh

For the Respondent/s : Mr. Lalit Kishore (AG)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD
ORAL ORDER

2 25-04-2018 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner in the present case has prayed for de-
sealing of the Shop situated at Jaswal Market, Hilsa, District-
Nalanda, which has been sealed in connection with Hilsa P.S.
Case No.238 of 2017, District-Nalanda for the offence under
Sections 30(A) and 37(A) of the Bihar Prohibition and Excise Act,
2016.

Learned counsel for the petitioner submits that for
the purpose of de-sealing of the shop in question provisionally,
petitioner is ready and willing to abide by the terms and conditions
which may be imposed by this Court.



Considering the facts and circumstances, pending initiation or finalization of the confiscation proceeding, let the shop of the petitioner be de-sealed provisionally on the petitioner furnishing Bank Guarantee or original title deed of the property in question or any other security of like nature to the satisfaction of the Collector-cum-District Magistrate, Nalanda at Biharsharif/authority concerned within one week.

The District Magistrate, Nalanda at Biharsharif shall get prepared a photograph duly certified and a Panchnama of the shop in sealed condition before de-sealing of the same and the same will be kept on the record.

The petitioner undertakes not to challenge the said photograph and Panchanama in course of trial or the confiscation proceeding, as the case may be.

The petitioner shall also give an undertaking that she will not deal with the shop in question in favour of any third party or create any interest adverse to the interest of the State without permission of the authority concerned/Court and shall not allow any illegal act to be committed in the shop in question.

The application stands disposed of.

Arvind/-

(Rajeev Ranjan Prasad, J)

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