

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4966 of 2018

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1. Lalati Devi, Wife of Late Shivnath Yadav,
 2. Manju Devi, Wife of Late Laxman Yadav, Both 1 and 2 are resident of Village- Lakhrawn, Police Station- Siwan Muffasil, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise and Prohibition Department, Govt. of Bihar, Patna.
2. The District Magistrate, Siwan.
3. The Superintendent of Police, Siwan.
4. The Superintendent of Excise Department, Siwan.
5. The Officer in Charge, Siwan Muffasil Police Station, Siwan.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate
For the Respondent/s : Mr. Kumar Manish -SC 5

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 22-03-2018 This writ petition has been filed for a direction to the respondents to unseal and release the sealed houses of the petitioners, which have been sealed in connection with Siwan Muffasil P. S. Case No.501 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 finalization of the confiscation proceedings or initiation of 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 houses of the petitioners in question shall be released to the petitioners on their depositing original title deeds of the houses in question with the District Magistrate and furnishing two local sureties to the satisfaction of District Magistrate, Siwan, and further undertaking be given that they 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 houses of the petitioners shall be released/ unsealed within one week from the date of furnishing the title deeds of the houses 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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