

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6325 of 2019

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Rahul Kumar, aged about 22 years (M), Son of Late Ramnath Sah, Resident of village- Chankyapuri ward no. 7, P.S.- Chakiya, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Registration, Excise and Prohibition Department, Government of Bihar, Patna.
2. The Principal Secretary Registration, Excise and Prohibition Department, Government of Bihar, Patna.
3. The Collector- cum- District Magistrate, East Champaran, Motihari.
4. The Superintendent of Police, East Champaran, Motihari.
5. The Superintendent of Excise, East Champaran, Motihari.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Respondent/s : Mr.Kumar Manish (Sc5)

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
and
HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

Date : 07-05-2019

Heard the parties.

The writ petition is filed by the lease holder of a shop which has been seized in connection with Chakiya P.S. Case No. 128 of 2018 for alleged violation of the provisions of the Bihar Prohibition and Excise Act, 2016 on recovery of 142 bottles of beer from the shop.

While counsel for the petitioner prays for unsealing of the shop, Mr. Kumar Pankaj, learned AC to SC 5, while opposing the prayer, submits that huge quantity of recovery has



been made to the tune of 89 liters of IMFL including the beer.

Be that as it may, since the petitioner is the lease holder of the shop and in the nature of recovery made as well as orders passed by this Court on such matters, the title deed of the shop needs to be deposited for a provisional release, we would not entertain the prayer of the petitioner as a lease holder and allow the owner of the shop to raise his grievance accordingly.

With the observation above, we dispose of the writ petition.

(Jyoti Saran, J)

(Anjani Kumar Sharan, J)

Nasimul/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	16-05-2019
Transmission Date	N/A

