

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17826 of 2019

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Pintu Kumar @ Roushan Kumar Son of Lalbabu Yadav Resident of Village-
Ranipur Paijawa, Purbi Tola, Police Station- Chowk District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Registration, Excise and Prohibition Department Bihar, Patna.
2. The Excise Commissioner Bihar Prohibition and Excise Act 2016 Department Patna Bihar.
3. The Excise Office Bihar Prohibition and Excise Act 2016 Department Patna Bihar.
4. The District Collector District- Patna, Bihar.
5. The Superintendent of Police District- Patna, Bihar.
6. The officer in-Charge of Bypass Police Station District- Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad
For the Respondent/s : Mr.Vikash Kumar (Sc11)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
and
HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH)

2 17-12-2019 Heard learned counsel for the petitioner and learned
counsel for the respondent.

The present writ application has been filed for unsealing of the Godown of the petitioner situated at Mohalla- Ranipur Paijawa, P.S.-Bypass, District-Patna, which has been sealed in connection with Special Case No.4537 of 2019 (Bypass P.S. Case No.130 pf 2019) arising out of P.R. Case No.73 of 2019, registered for the offences punishable under Sections 272/ 273/ 420/ 34 of the Indian Penal code, 1860 and



Sections 30(a), 32(3), 41(1), 41(2) of Bihar Prohibition and Excise Act, 2016 as amended by the Amendment Act 8 of 2018 (hereinafter called 'the Act').

It is submitted by learned counsel for the petitioner that the petitioner's wife is the owner of the Godown, in question, but she has let out the Godown to one Ashwini Kumar by executing a rent agreement with said Ashwini Kumar and the same has been brought on record as Annexure-1 to the writ application. It is also submitted by learned counsel for the petitioner that in the revenue record, the land, in question, is recorded in the name of the petitioner's wife. A notice has been received by the petitioner from District Magistrate Patna in Confiscation Case No.635/2019-20.

In that circumstances, the petitioner seeks permission to withdraw this application to participate in the confiscation proceeding. Permission is granted.

Accordingly, this writ application is disposed of with a direction to the concerned Authority to consider all the contentions raised by the petitioner and try to dispose of the Confiscation Proceeding by reasoned and speaking order within a period of 30 days from the date of receipt / production of a copy of this order, since it relates to the sealing of the Godown.



The petitioner is also expected to appear regularly and participate in the confiscation proceeding.

(Dinesh Kumar Singh, J)

(Anil Kumar Sinha, J)

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