

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.4918 of 2020**

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Ranjit Kumar son of Sudama Sah resident of Village- Raksa, P.S.- Karja,  
District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Excise Department,  
Government of Bihar, Patna.
2. The Collector-cum- District Magistrate, Muzaffarpur.
3. The Senior Superintendent of Police, Muzaffarpur.
4. The Excise Superintendent, Muzaffarpur.
5. The Officer-in- Charge of Karja Police Station, Muzaffarpur.
6. The Investigating Officer of Karja P.S. Case No. 15/19, Muzaffarpur.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Bela Singh  
For the Respondent/s : Mr.Vikash Kumar (Sc11)

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**CORAM: HONOURABLE THE CHIEF JUSTICE**

**and**

**HONOURABLE MR. JUSTICE S. KUMAR**

**ORAL JUDGMENT**

**(Per: HONOURABLE MR. JUSTICE S. KUMAR)**

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

**Date : 10-07-2020**

Heard learned counsel for the petitioner and learned  
counsel for the State.

Petitioner has prayed for following reliefs:-

- (i) “For directing and commanding the respondents to conclude the Confiscation Case No.30/2019-2020 arising from Karja P.S. Case No.15/19 dated 28.1.19 under Section 30(a) of Bihar Prohibition and Excise Act, 2016 against the petitioner as earliest and also drop the above mentioned confiscation proceeding.
- (ii) And also for any other relief/reliefs for which petitioner



is found to be legally entitled under the facts and circumstances of the case.”

Informant is a Police Officer who in his written complaint has alleged that on 28.1.2019 at about 10 a.m., while he was on patrolling duty along with other police personnel, he received a confidential information that illicit liquor is being sold from the house of Ranjit Kumar (petitioner) upon which, his house was raided and illicit foreign liquor which was kept in cartoon was recovered from a room which was seized in presence of two witnesses who disclosed it to be the house of Ranjit Kumar (petitioner). However, it is alleged that petitioner managed to escape.

It is submitted on behalf of petitioner that pursuant to recommendation of police, confiscation case no.30 / 2019-20 was initiated in which petitioner has already filed his show cause on 19.11.2019 but still confiscation proceeding could not be concluded as yet and the premises of the petitioner still remains sealed.

The writ petition is disposed of with a direction to the District Magistrate-cum-Confiscating Officer, Muzaffarpur to conclude the confiscation case No.30/2019-20 within 90 days from the date of receipt/production of a copy of order passed by this Court, failing which, the premises of the petitioner shall be



unsealed till conclusion of confiscating proceeding and possession to be handed over to the petitioner, on the petitioner depositing the original title deed of property, in question, as security with one surety to the extent of value of property as per the circle rate with the District Magistrate, Muzaffarpur. Petitioner shall also file an undertaking that during pendency of confiscating proceeding, no third party right or interest will be created on the property liable for confiscation.

**(Sanjay Karol, CJ)**

**( S. Kumar, J)**

Sanjay/-

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| AFR/NAFR          | NAFR       |
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