

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17520 of 2019

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Laxman Das @ Laxshman Ravidas Son of Shri Raj Kumar Ravidas R/o
Village-Asarhua, P.S. Sono Charkapather (O.P.), District-Jamui (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary of Excise, Govt. of Bihar, Patna.
2. The District Magistrate/Collector Jamui.
3. The Superintendent of Excise District – Jamui.
4. The Superintendent of Police. Jamui.
5. S.H.O. Sono (Charkapather) P.S. Jamui.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Satya Prakash Parasar, Adv.
For the Respondent/s : Mr.Kumar Manish (Sc5)

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 24-08-2020

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

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

Petitioner has prayed for following relief:-

“(i) For issuance of writ or writs in nature of mandamus/certiorari for unseal of dwelling house of the petitioner and handing over possession



of the same to the petitioner which was sealed in connection with Sono (Charkapather) P.S. Case No. 76/2017 which was instituted for the offences punishable under Sections 272, 273/34 of the I.P.C. and 30(a) Bihar Excise and Prohibition Act 2016 presently pending in the court of Collector, Jamui.

(ii) For quashing of order dated 04.04.2018 passed in Confiscation Case No. 58/2017 passed by learned Court District Magistrate-Cum-Collector, Jamui.

(iii) For any other relief/reliefs for which this Court deem fit and proper.

Petitioner has approached this Court without availing statutory remedy of appeal against the impugned order, as such, the writ petition is disposed of with liberty to petitioner to file appeal against the order passed by the Confiscating Authority within 60 days and if any such appeal is filed within 60 days, the appellate authority shall condone the delay in filing appeal as the matter remain pending before this Court and shall decide the appeal within 60 days from the date of filing of appeal. If any, such appeal is filed within 60 days, the



confiscated property shall not be auction sold till disposal of appeal, if not already auction sold.

With the aforesaid observation and liberty, the writ petition is disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

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AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	
Transmission Date	N.A.

