

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16035 of 2021

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Rakesh Kumar Son of Rajnikant Prasad Resident of Ward No. 4, Village-
Bhutahi, P.S.- Sonbarsha, District- Sitamarhi- 843317.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department, Bihar, Patna.
2. The District Magistrate, Sitamarhi.
3. The Superintendent of Police, Sitamarhi.
4. The Officer-in-Charge, Riga Police Station, District- Sitamarhi.
5. The Circle Officer, Riga, District Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Subodh Kumar, Adv
For the Respondent/s : Mr.Lalit Kishore (AG)

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

Date : 03-12-2021

Heard parties.

Petitioner has prayed for the following reliefs:-

“For issuance of writ in the appropriate nature commanding and directing the Respondents authority to unlock the premises which has been sealed in connection with Riga P.S. Case No. 258/2021 registered under section 414 of the Indian Penal Code read with section 30(a) of the Bihar Prohibition & Excise Act, 2018 by the order of the Circle Officer, Riga.”

It has been submitted by learned counsel for petitioner that nothing has been recovered from the godowns of the

petitioner which have been let out on rent but on the basis of suspicion only, as the Truck carrying illicit liquor was parked in campus of godowns, his godowns have been sealed.

In the facts and circumstances of the present case, the **Confiscating Authority/District Collector, Sitamarhi** is directed to provisionally unseal the sealed godowns of petitioner forthwith 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 concerned District Collector, or Confiscating Authority.

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.

This writ petition stands disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

ranjan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	19.12.2021
Transmission Date	NA