

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3500 of 2023

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Raja Manjhi S/o Rambabu Manjhi Resident of Village- Rukanpura Musahri,
P.S.- Rupaspur, Dist.- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Deputy Secretary, Registration, Excise and Prohibition Department, Government of Bihar, Patna.
2. The Collector Cum District Magistrate, Patna.
3. The Senior Superintendent of Police, Patna.
4. The Superintendent of Excise, Patna.
5. The Station House Officer, Excise, Danapur, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Choubey Jawahar, Advocate
For the Respondent/s : Mr. Vikash Kumar, SC-11

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 10-05-2023

The petitioner is aggrieved with the seizure of his house which he says is not involved in F.I.R, being Excise Danapur P.S. Case No. 71 of 2023 dated 22.01.2023. A total quantity of 8 litres were recovered from five separate settlement rooms upon which the said houses were also sealed, is the contention. The F.I.R was on 22.01.2023 and there is no confiscation proceedings so far taken up.

The learned counsel for the petitioner points out that Annexure-1 does not indicate the name and the seizure



list also does not indicate the name of the petitioner herein.

The learned Government Advocate, however, would point out that Bajanti Devi, who is seen as arrayed as accused at page no. 24, is a resident adjacent to the room from which the liquor was seized. The specific room from which the liquor was seized belongs to the petitioner as per the settlement map available with the Seizing Officer, is the contention raised. It is also submitted that the entire documents have been transmitted to the District Collector.

Since the District Collector has not initiated any confiscation proceedings as of now, if the petitioner approaches the District Collector with the certified copy of this judgment, on or before 07.06.2023, the District Collector being apprised of the judgment, shall call for the entire records from the seizing authority, which the Seizing Authority shall forward within a week therefrom. The District Collector shall fix a date of hearing within two weeks and consider the contentions raised by the petitioner. The petitioner shall be entitled to file objections, if required.

We make it clear that we have only recorded the submissions of either parties and not made any observation on merits. The District Collector would consider every



contention raised by the petitioner.

The writ petition stands disposed of.

(K. Vinod Chandran, CJ)

(Madhuresh Prasad, J)

aditya/sujit

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	12.05.2023.
Transmission Date	

