

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7331 of 2023

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Ram Autar Mahto, Son of Rameshwar Mahto, Resident of Sakari, Purani Bazar, Police Station-Sakri, District-Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Registration and Excise, Bihar, Patna.
2. The District Magistrate, Madhubani.
3. The Superintendent of Police, Madhubani.
4. The Station House Officer, Sakari Police Station, District-Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Bhavesh Kumar Sah, Advocate
For the Respondent/s	:	Mr. Kumar Manish (SC-5)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 16-05-2023

The petitioner is concerned with his house appertaining to Mauza- Sakari, Thana No. 102, Khata No. 786, Khesra No. 1533, Area-0-3-0 which has been sealed and confiscation proceedings initiated on a charge being laid as to recovery of liquor from the said house. An FIR has been lodged as Sakari P.S. Case No. 185 of 2022 dated 19.09.2022. The recovery was of 22.5 liters of Nepali liquor. A confiscation case was initiated as Confiscation Case No. 87/2022-23. Though the confiscation proceeding has not been concluded, the Confiscating Authority has issued an order under Rule 12 (B) of



the Bihar Prohibition and Excise Rules, 2021 directing release of the seized premises on deposit of Rs. One lakh. The petitioner can avail the said remedy and the petitioner is given a time of four weeks to make a deposit, in which case the premises would be absolved from the confiscation proceedings. If the deposit is not made, as directed herein above, then definitely the Confiscating Authority would be entitled to proceed for confiscation.

The writ petition stands disposed of.

(K. Vinod Chandran, CJ)

(Madhuresh Prasad, J)

Anushka/PKP

AFR/NAFR	
CAV DATE	
Uploading Date	17.05.2023
Transmission Date	

