

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15858 of 2022

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Reeta Raushan, wife of Rajesh Raushan, resident of Mohalla Azizghat Ward
No.- 29 Baignabad Khandakpur, Police Station- Bihar, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Excise Department,
Government of Bihar, Patna.
2. The Excise Commissioner Bihar Excise Department, Patna.
3. The District Magistrate, Nalanda.
4. The Additional Collector cum Additional District Magistrate, Nalanda.
5. The Superintendent of Police, Nalanda.
6. The Station House of Bihar Police Station District Nalanda.
7. The Investigation Officer of Bihar Police Station Case No. 667 of 2021.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Baijnath 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 : 04-04-2023

The petitioner is before us claiming that her house bearing Holding No.40/A Mohalla Azizghat, Ward No.29, Daignabad Khandakur, Police Station-Bihar, District-Nalanda has been sealed by the respondents under the Bihar Prohibition and Excise Act, 2018.

Learned counsel for the State refers to the affidavit filed by the Excise Superintendent, District-Nalanda, wherein it has



been specifically stated in paragraph-6 that there is no FIR registered against the petitioner and there is no procedure for confiscation of her house, which has been specifically identified in the writ petition as stated above. The Confiscation order passed in connection with Bihar P.S. Case No.667/2021 also indicates that no part of the premises of the house of the petitioner was confiscated.

In such circumstances, petitioner has no surviving claim in the writ petition which is, accordingly, dismissed, as according to the submission of learned counsel for the State, Holding No.40/A Mohalla Azizghat, Ward No.29, Daignabad Khandakur, Police Station-Bihar, District-Nalanda, as identified hereinabove, is not sealed or confiscated by the respondents.

(K. Vinod Chandran, CJ)

(Madhuresh Prasad, J)

Sunil/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	06.04.2023
Transmission Date	

