

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1621 of 2018

Arising Out of PS. Case No.- Year-1111 Thana- District-

=====

Musalim Khan Son of Late Sakur Khan, Resident of village- Bagahin, Post-Banahi, P.S.- Bihiya, District- Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar, Through Director General Of Police, Govt. Of Bihar, Patna
2. The District Magistrate, Bhojpur Ara.
3. The Superintendent of Police, Bhojpur, Ara.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Chandra Bhushan Singh
For the Respondent/s : Mr.

=====

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 21-02-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor.

The present application has been filed for release of 1.94 decimal of land which is situated in Thana No. 205, Khata No. 50, Khesra No. 194, in Mauja-Sahjauli, Bihiya, under Bihar Prohibition and Excise (Amendment) Act.

The confiscation proceeding can be challenged by the petitioner in an appropriate proceeding and this criminal writ is not maintainable in view of the law laid down by this Court passed in the case of *Suman Kumar Sinha vs. State of Bihar and Ors. reported in 1995 (1) PLJR 213.*

Considering the above, this writ application is



disposed of with a liberty to the petitioner to file appropriate application before appropriate authority/Court/Forum.

It is made clear that release of the land of the petitioner shall not be disturbed by the respondent authorities on account of disposal of this case.

(Sandeep Kumar, J)

sunnykr/-Saif

U		T	
---	--	---	--

