

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1647 of 2020

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Rohit Kumar Son of Bhogendra Das, Resident of Village- Maibi Kishnapur
Taufir, Ward No. 6, P.S. Bathnaha, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Excise Department, Government of Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The District Magistrate, Sitamarhi.
4. The Superintendent of Police, Sitamarhi.
5. The Sub Inspector Excise, Sitamarhi.
6. The A.S.I. Cum SHO of Bela Police Station, District- Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate
For the Respondent/s : Mr. Kumar Manish, S.C. 5

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 24-01-2020 Heard learned counsel for the petitioner and the respondents.

The petitioner has filed this petition for direction to the respondent authorities to release the vehicle (TVS Star City Motorcycle) bearing Registration No. BR 30Y 0312 in favour of the petitioner which has been seized in connection with Bela P.S. Case No. 271 of 2019 for the offences under Sections 272, 273 of the Indian Penal Code and 30(a) of the Bihar Prohibition



and Excise Act, 2016 pending in the Court of learned Additional District Judge 2nd cum Special Judge (Excise Act), Sitamarhi.

Learned counsel for the petitioner invites our attention to the order dated 18th January, 2020 passed in CWJC No. 3245 of 2017 titled as Manish Kumar Chaudhary Vs. The State of Bihar & Ors. and prays for disposal in terms thereof.

As such, as prayed for, on mutually agreed terms, we dispose of the present petition in terms of the order dated 18th January, 2020 passed in CWJC No. 3245 of 2017 titled as Manish Kumar Chaudhary Vs. The State of Bihar & Ors. making the terms contained therein, applicable mutatis mutandis, insofar as applicable, also to the instant petition. The terms of the said order shall be deemed to have been incorporated and read as a part and parcel of the present order.

It shall be obligatory on the part of the instant parties to place on record of the authorities under the provision of the Bihar Prohibition and Excise Act, 2016, a copy of not only the order passed in the instant petition, but also that of CWJC No. 3245 of 2017 titled as Manish Kumar Chaudhary Vs. The State of Bihar & Ors. which can be conveniently downloaded from the internet.

No order as to costs.



Petition stands disposed off in the aforesaid terms.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

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