

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1619 of 2020

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Harendra Ojha Son of Jibodhan Ojha, Resident of Village-Jaithar, P.S.-
Taraiya, District-Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise and Prohibition, Govt. of Bihar, Old Secretariat, Patna.
2. The District Magistrate, Saran.
3. The Superintendent of Police, Saran.
4. The Superintendent of Excise, Saran.
5. The Officer-in-Charge, Mashrak P.S., District-Saran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Awadhesh Kumar Pandey
For the Respondent/s : Mr.Vikash Kumar (Sc11)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 23-01-2020 Heard learned counsel for the petitioner and the
respondents.

The petitioner prays for release of the vehicle namely
Hero Activa Scooter bearing registration no. BR-04AD-2889
seized in connection with Mashrak P.S. Case No. 363 of 2019



for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner invites our attention to the order dated 9th January, 2020 passed in CWJC No. No.20598 of 2019 titled as Md. Shaukat Ali 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 9th January, 2020 passed in CWJC No. No.20598 of 2019 titled as Md. Shaukat Ali 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. No.20598 of 2019 titled as Md. Shaukat Ali Vs. The State of Bihar & Ors. which can be conveniently down loaded from the internet.

Petitioner undertakes to appear in the office of the



concerned appropriate authority/the concerned District Magistrate, on the 10th of February, 2020 and apprise him of the passing of the order.

No order as to costs.

Petition stands disposed off in the aforesaid terms.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

Ravi/-

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