

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1589 of 2020

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GOPAL PRASAD son of Bacchu Prasad, resident of Rangbahadur Road,
Telbigha, P.o. and P.s.- Telbigha, Gaya, 823002, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar through the Excise Commissioner, New Secretariat, Patna
2. D.M. Gaya
3. The Superintendent of Gaya, Gaya
4. The Excise Inspector Excise, Gaya

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Archana Sinha @ Archana Shahi

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
Three Wheeler Chachis no. MCS3EBP21LAD20595, Engine
No. A9C1290432 seized in connection with Sherghati P.S. Case
No. 417 of 2019 for the offences punishable under Section



30(d) 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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