

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12723 of 2017

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Amit Kumar @ Banty S/o- Sri Triloki Ray, Resident of Mohallah- Ayodhya Prasad Lane Pandey Gali, Moti Jheel, P.S.- Town, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The Commissioner of Police, Trihut Range, Muzaffarpur. null null
4. The Excise Commissioner, Trihut Range, Muzaffarpur.
5. The Collector Cum the District Magistrate, Muzaffarpur.
6. The Senior Superintendent of Police, Muzaffarpur.
7. The Excise Superintendent, Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anish Kumar, Adv.

For the Respondent/s : Mr. Anil Kumar Sinha -GA-1

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

4 21-01-2020 Heard learned counsel for the petitioner and the respondents.

The petitioner prays for setting aside the order dated 31.01.2017 passed by the District Magistrate, Muzaffarpur in Confiscation Case No. 34 of 2016-17 whereby the restaurant, namely, Sahi Darwar which is situated in Mauza Saniyaganj, Jama Bandi No. 1979, Khata No. 38, Khesara No. 437 (New), Khesara No. 459 (Old), Pakawa – 1 Katha, 2 dhoor, 8 kanwa has been confiscated/sealed and further direction to the



respondents to unseal and hand over the possession of the said restaurant to the petitioner sealed in connection with Confiscation Case No. 34 of 2016-17 registered 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 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)

Rajeev Kumar/-

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