

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7081 of 2018

Atish Kumar Choudhary, Son of Baidnath Choudhary, Resident of Village-
Sabour, P.S.-Sabour, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Director General of Police, Government of Bihar, Patna.
2. The Inspector General of Police, Bihar, Patna.
3. The District Magistrate Cum Collector, Bhagalpur.
4. The Superintendent of Police, Bhagalpur.
5. The Superintendent of Excise, Bhagalpur.
6. The Officer-in-Charge, Sabour Police Station District- Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Dhirendra Nath Jha
For the Respondent/s : Mr.-Gal

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 21-01-2020 Heard learned counsel for the petitioner and the respondents.

The petitioner prays for setting aside the order dated 02.06.2017 passed by the District Magistrate, Bhagalpur in Misc. Case No. 112 of 2016-17 whereby vehicle, namely, Auto Rickshaw, bearing Registration No. BR-10PA 6542 has been confiscated and further direction to the respondents to release the vehicle seized in connection with Sabour P.S. Case No. 135 of 2016 for the offences punishable under Section 47 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)

Ranjeet/-

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