

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8442 of 2018

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Birendra Pd. Singh @ Virendra Prasad Singh, Son of Mahadev Prasad Singh,
Resident of Village- Kubdi, P.S.- Roushanganj, Baniadih, Sri Rampur,
District- Gaya.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Excise Department, Bihar, Patna.
2. The District Magistrate, Gaya.
3. The Senior Superintendent of Police, Gaya.
4. The Sub Divisional Magistrate, Sherghati at Gaya.
5. The Deputy Superintendent of Police, Sherghati at Gaya.
6. The Deputy Excise Commissioner, Gaya.
7. The Excise Inspector of Police, Sherghati, Gaya.
8. The Officer Incharge, Sherghati, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Saxena
For the Respondent/s : Mr. Anil Kr. Sinha- Gal

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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 release of Motorcycle (Splendor Pro CDRS SBK) bearing Registration No. BR02Y-6795 which has been seized in connection with Sherghati P.S. Case No. 393 of 2017, Excise Confiscation Case No. 291 of 2017, for the offences punishable under Sections 272, 273, 414/34 of the Indian Penal Code and 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)

Ranjeet/-

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