

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10667 of 2019

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Dharmendra Prasad Son of Rajendra Prasad Resident of Bahera, Village- Bahera,
Police Station- Fatehpur, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Home Department, Govt. of Bihar, Patna.
2. The District Magistrate Gaya.
3. The Superintendent of Police Gaya.
4. The Superintendent of Excise Prohibition District- Gaya.
5. The Investigation Officer Excise Prohibition, Gaya.
6. The Sub- Inspector Excise Prohibition, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Syed Asgher Najmi, Advocate
For the Respondent/s : Mr. Vikash Kumar, S.C. 11

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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 has filed this petition for direction to the respondent authorities to release the vehicle (Hero Glamour Motorcycle) bearing Engine No. JA06ELFGB00723, Chassis No. MBLJA06APFGB00835 in favour of the petitioner which has been seized in connection with Wazirganj P.S. Case No. 311 of 2018 for the offences under Sections 272 & 273 of the Indian Penal Code and 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)

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