

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15076 of 2018

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Umesh Prasad Sah @ Umesh Prasad Shah S/o Late Basant Lal Shah Resident of Kursakanta P.S. Kursakanta, District Araria. At Present Village-Khariya Basti Ward No. 13, P.S. Araria District Araria.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Collector, Araria.
3. The Superintendant of Police, Araria.
4. The Deputy Superintendent of Police, Araria.
5. The Station House Officer, Kursakanta Police Station District Araria.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Abhijeet Gautam, 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)

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

The petitioner prays for setting aside the order dated 01.12.2017 passed by the Collector, Araria, in Confiscation Case No. 114/2017-18 whereby Hero Honda Motorcycle bearing Registration No. BR 39C 2397 of the petitioner has been confiscated and further direction to the respondents to release the vehicle in question seized in Special Case No. 2053 of 2017 arising out of Kursakanta P.S. Case No. 145 of 2017 for the



offences punishable under Sections 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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