

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10307 of 2019

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Dev Shankar Rai S/o Ramnandan Rai Resident of Tara,Jitwarpur Chauth,P.S.
Samastipur Muffasil,Dist.-Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal secretary,Registration,Excise and Prohibition Department,Govt. of Bihar,Patna
2. The Commissioner, Registration,Excise and Prohibition Department,Govt. of Bihar,Patna
3. The District Magistrate, Samastipur
4. The Superintendent of Police, Samastipur
5. The Superintendent of Excise, Samastipur
6. The S.H.O.,Samastipur Town, Police Station,Dist.-Samastipur
7. The Assistant Sub Inspector of Police Samastipur Town,Police Station,Dist.-Samastipur(Informant)

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kundan Kumar, Advocate
For the Respondent/s : Mr. Kumar Manish, S.C. 5

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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 Registration No. BR 33K 1654 in favour of the petitioner which has been seized in connection with Samastipur Town P.S. Case No. 258 of 2018 for the offences



under Sections 30(a), 41(1) 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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