

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11793 of 2017

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Shri Prakash Dubey Son of late Dashrath Dubey Resident of Village- Barthara Kala, P.O.- Barthara Kala, P.S. Chandauli, District- Chandauli U.P.

... .. Petitioner/s

Versus

1. The State Of Bihar through Secretary of the Home Department, Bihar at Patna.
2. The Collector Cum District Magistrate, Kaimur at Bhabua.
3. The Superintendent of Police, Kaimur at Bhabhua.
4. The Sub-Divisional Police Officer, Bhabua, District- Kaimur at Bhabua.
5. The Officer-in-Charge of Police Station, Durgawati, District Kaimur at Bhabua.
6. The Excise Officer, District- Kaimur at Bhabua.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey, Adv.
For the Respondent/s : Mr. Vikash Kumar-SC-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 prays for setting aside the order dated 08.06.2017 passed by the District Magistrate, Kaimur at Bhabua in Confiscation Case No. 15 of 2017-18 whereby vehicle, namely, Motorcycle bearing Registration No. UP 67S 1187 has been confiscated and further direction to the respondents to release the vehicle seized in connection with Durgawati P. S. Case No. 43 of 2017 registered for the offences punishable



under Sections 37(1), 38 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)

Rajeev Kumar/-

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