

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5437 of 2018

Ashok Thakur Son of Rambir Thakur, Resident of Village- Sahsaram, P.S.-
Jaleshwar, District- Mahotari Nepal.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna.
2. The Chief Secretary, Govt. of Bihar, Patna.
3. The Director General of Police, Bihar, Patna.
4. The Collector-cum-District Magistrate, Sitamarhi.
5. The Deputy Superintendent of Police, Sitamarhi.
6. The Excise Superintendent, Sitamarhi.
7. The Excise Sub-Inspector, Pupri, Sitamarhi.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Devendra Kumar
For the Respondent/s : Mr. Vikash Kumar -Sc11

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
05.12.2017 passed by the District Magistrate, Sitamarhi, in
Confiscation Case No. 128 of 2016 whereby vehicle, bearing
Registration No. J-2P 391 has been confiscated and further
direction to the respondents to release the vehicle seized in
connection with Excise Case No. C-2, 299 of 2016 for the
offences punishable under 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)

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