

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 4152 of 2018

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Amit Kumar, Son of Bhulen Yadav, Resident of Village - Morkahi, Ward No.05, Police Station- Murliganj, District- Madhepura.

... .. Petitioner

Versus

1. The State Of Bihar through the Principal Secretary, Department of Excise and Prohibition, Govt. of Bihar, New Secretariat, Patna.
2. The District Magistrate, Madhepura.
3. The Superintendent of Excise, Madhepura.
4. The Superintendent of Police, Madhepura.
5. The Officer-in-Charge, Murliganj Police Station, District- Madhepura.

... .. Respondents

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Appearance :

For the Petitioner : Mr. Shailendra Kumar Singh, Adv.
For the Respondents : Mr. Kumar Manish-SC-5

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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 22.12.2017 passed by the District Magistrate, Madhepura in Confiscation (Excise) Case No. 81 of 2017 whereby vehicle, namely, Hero Honda HF Delux Motorcycle without registration number, bearing Chechis No. MBLHAR 201HGG 04132, Engine No. HA11E NHGG03885 has been confiscated and further direction to the respondents to release the vehicle seized in connection with Murliganj P. S. Case No. 324 of 2017



registered for the offences punishable under Section 353 of the Indian Penal Code and 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)

Rajeev Kumar/-

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