

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5123 of 2018

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Pankaj Kumar, Son of Chandrakesri Prasad Mahto, Resident of Sidhnath Chowk, P.O. and P.S.- Sonepur, District- Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, District- Saran
2. The District Magistrate, District- Saran at Chhapra.
3. The Superintendent of Police, District- Saran at Chhapra.
4. The Police Inspector cum Investigation Officer, Economic Offence Unit, Bihar, Patna.
5. The Superintendent of Excise, Saran at Chhapra.
6. The Deputy Superintendent of Excise, Saran.
7. The Executive Magistrate, Sub- Division, Sadar Chhapra, District- Saran.
8. The Station House Officer, Sonepur, Police Station, District- Saran at Chhapra.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Respondent/s : Mr. GA-1

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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 23.06.2017 passed by the District Magistrate, Saran, in Confiscation Case No. 01 of 2017 whereby vehicles, namely, Truck bearing Registration No. RJ02 GB-1087, Tata Tiago Car, bearing Registration No. BR- 11X-8778 and Motor Cycle



bearing Registration No. BR 31T- 8202, have been confiscated and further direction to the respondents to release the vehicles seized in connection with Sonpur P.S. Case No. 435 of 2016 for the offences punishable under Sections 272/273/34 of the Indian Penal Code and Sections 30(a)/38/41 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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