

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5135 of 2018

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Gauri Shankar Mehta, Son of Dilip Kumar Mehta, Resident of Village-
Nawadih Kala, Kutti Pissi, P.S.- Padma, District- Hazaribagh, Jharkhand.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principle Secretary, Registration, Excise and Prohibition Department, Bihar, Patna.
2. The Collector-cum- District Magistrate, Gaya.
3. The Superintendent of Excise, Gaya.
4. The Officer-In- Charge of Excise, Sherghati, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Md. Javed Jafar Khan
For the Respondent/s : Mr.Vivek Prasad- Gp7

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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 08.09.2017 passed by the District Magistrate, Gaya in Confiscation Case No.256 of 2017 whereby vehicle, namely, Tata M, bearing Registration No. JH 02AP- 8379 has been confiscated and further direction to the respondents to release the vehicle seized in connection with Excise Case No. 361 of 2017 for the offences punishable under Section 30(5) 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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