

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5841 of 2018

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Shambhu Mukhiya Son of Late Yogeshwar Mukhiya, Resident of Village-
Rajopatti, Brahm Asthan, Ward No.7, P.S. and District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department,
Bihar at Patna.
2. The District Magistrate Sitamarhi, District- Sitamarhi.
3. The Superintendent of Police Sitamarhi, Dist- Sitamarhi.
4. The Officer In-charge of Sitamarhi Police Station, Dist- Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Respondent/s : Mr.Kumar Manish-Sc5

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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
25.04.2017 passed by the District Magistrate Sitamarhi, in
confiscation Case No. 69 of 2017 whereby the house has been
confiscated and further direction to the respondents to unseal the
house of the petitioner in connection with Case No. C-2-386 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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