

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 3419 of 2018

=====

Bharat Singh @ Singh Bharat, Son of Late Radha Mohan Singh, Resident of Village- Lalbeli, Police Station- Kuchaikote, District- Gopalganj.
At present resident of Brahm Ashthan Ward No. 16, Police Station- Gopalganj, District- Gopalganj and Resident of 89/1, Salika School Road, Police Station- Howrah, District- Sadar Howrah (West Bengal).

... .. Petitioner

Versus

1. The State Of Bihar through the Principal Secretary, Department of Registration, Excise and Prohibition, Govt. of Bihar, Patna.
2. The Collector/ District Magistrate, Gopalganj.
3. The Excise Superintendent, Gopalganj, District- Gopalganj.
4. The Superintendent of Police, Gopalganj, District- Gopalganj.

... .. Respondents

=====

Appearance :

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

=====

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 30.12.2017 passed by the District Magistrate, Gopalganj in Confiscation (Excise) Case No. 269 of 2017 whereby the house of the petitioner has been confiscated/sealed and further direction to the respondents to unseal and hand over the possession of the house to the petitioner sealed in connection with Gopalganj P. S. Case No. 309 of 2016 registered for the



offences punishable under Sections 272, 273 of the Indian Penal Code and Sections 47, 57 of the Bihar Prohibition and Excise (Amendment) 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/-

U			
---	--	--	--

