

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7138 of 2018

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Hare Ram Kumar Hitkar, Son of Yogendra Narayan Yadav @ Bhogendra Narayan Yadav, Resident of Village- Jhurgaon, P.S.- Madhepura, District- Madhepura, presently posted as Ophthalmic Assistant/Medical Officer, Kishanganj.

... .. Petitioner/s

Versus

1. The State Of Bihar through Secretary of Excise Department, Bihar at Patna.
2. The Collector-cum-District Magistrate, Purnea.
3. Superintendent of Police, Purnea.
4. S.H.O., Dagarua P.S., District Purnea.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Raj 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 quashing the order dated 16.02.2018 passed by the Collector, Purnea, in Excise Case No.297 of 2017 whereby vehicle, namely, Tata Tiyago Car, bearing Registration No. BR-37L- 9242 has been confiscated and further direction to the respondents to release the vehicle seized in connection with Dagarua P.S. Case No. 107 of 2017 for the offences punishable under Sections 272, 273, 279, 427 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)

Ranjeet/-

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