

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11490 of 2019

Sanjay Kumar @ Sanjay Kumar Mahto, Son of Sadanand Mahto, Resident of Mohalla- Nuniya Tola, Dagarua, Ward No. 3, Police Station- Purnea, District- Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Excise Department, Government of Bihar, Patna.
2. Collector-Cum- District Magistrate, Araria.
3. Superintendent of Police, Araria.
4. The Superintendent of Police, Forbesganj.
5. Excise Superintendent, Araria.
6. The Station House Officer, Forbesganj Police Station, Forbesganj, Distt- Araria.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh, Advocate
For the Respondent/s : Mr.Vikash Kumar (SC-11)

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 release of Hero Glamour Motorcycle, bearing registration No. BR-11AC- 6713, which has been seized in connection with Forbesganj (Simraha) P. S. Case No. 506 of 2018 (Special Case No. 772 of 2018) registered for the offences punishable under Sections 30(a)/38(i) 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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