

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9737 of 2018

In

Criminal Writ Jurisdiction Case No.671 of 2018

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Surendra Yadav Son of Late Chhotelal Yadav, Resident of Village- Padri, P.S.-
Alauli, District- Khagaria.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Collector-cum-District Magistrate, Khagaria.
3. The Superintendent of Excise, Khagaria.
4. The Sub-Inspector of Excise, Sadar, Khagaria.
5. The Executive Engineer, Building Division, Khagaria.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal
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)

4 21-01-2020 Heard learned counsel for the petitioner and the
respondents.

The petitioner prays for setting aside the order dated
18.7.2017 passed by the District Magistrate, Khagaria, in Excise



Confiscation Case No.40/2017-18 arising out of Excise Case No. 98C3 of 2017 whereby house of the petitioner has been confiscated and further direction to the respondents to release the vehicle/house seized in connection with Excise Confiscation Case No.40/2017-18 for the offences punishable under Section 58(2) 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)

Ravi/-

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