

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11845 of 2019

Atul Gupta, Son of Naresh Prasad Gupta, Resident of Village- Near Bus Stand
Main Road ward no. 11 Haripur, Jogbani, Police Station- Jogbani, District-
Araria.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise,
Government of Bihar, Patna.
2. The Excise Commissioner Bihar, Patna.
3. The District Magistrate, Araria.
4. The Superintendent of Police, Araria.
5. The Superintendent of Excise, Araria.
6. The S.H.O. Jogbani Police Station, District- Araria.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana, 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 Bajaj Pulsar 160
Motorcycle, bearing registration no. BR 38Q 0810, which has
been seized in connection with Jogbani P. S. Case No. 198 of
2018, registered for the offences punishable under Sections
30(a) and 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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