

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11630 of 2019

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Md. Babul Saddam Hussain @ Babul Saddam Hussain, son of Abdul Ahad
resident of village- Chahatpur ward no. 05, Police Station- Palasi, 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. Palasi Police Station, District- Araria.

... .. Respondent/s

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Appearance :

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

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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 release of Maruti Suzuki Alto
Car, bearing registration no. BR 38F 7803, seized in connection
with Palasi P. S. Case No. 59 of 2018 registered for the offences
punishable under Sections 272, 273/34 of the Indian Penal Code
and Sections 30(A) and 37(C) 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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