

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.11629 of 2019**

Vikash Kumar Yadav @ Vikash Yadav, Son of Arun Yadav, Resident of village- Navtoliya, P.O. - Neuri, Police Station - Biraul, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise and Prohibition, Government of Bihar, Patna.
2. The Divisional Commissioner, Darbhanga.
3. The District Magistrate cum Collector, Darbhanga.
4. The Senior Superintendent of Police, Darbhanga.
5. The S.H.O.-cum-Officer in-charge of Biraul Police Station, District- Darbhanga.

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr.Pankaj Kumar Jha, Advocate  
For the Respondent/s : Mr.Kumar Manish ( SC-5 )

**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 Mahindra Scorpio Taxi, bearing registration no. BR07PA 5129, seized in connection with Biraul P. S. Case No. 22 of 2017 registered for the offences punishable under Sections 272, 273/34 of the Indian Penal Code and Sections 30(a), 38(i), 41(i) of the Bihar Prohibition and Excise Act, 2016 (Amended).

Learned counsel for the petitioner invites our attention to the order dated 18<sup>th</sup> 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 18<sup>th</sup> 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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