

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10796 of 2018

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Rakesh Kumar Son of late Shivshankar Prasad Resident of Mohalla- Near
Krishandwarika, P.S. Vishupat, District-Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Director General of Police Government of Bihar, Patna.
3. The Superintendent of Police, Gaya, District-Gaya.
4. The District Magistrate/ Collector of Gaya, District- Gaya.
5. The Excise Superintendent of Gaya, District- Gaya.
6. The Officer In Charge of , Imamganj, P.S. District- Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Deepak Kumar, Adv.
For the Respondent/s : Mr.Anil Kr. Sinha- Gal

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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 setting aside the order dated
26.3.2018 passed by the District Magistrate, Gaya, in Excise
Confiscation Case No.340 of 2017 whereby scooty of the
petitioner bearing Registration No. BR-02Z-8491 has been
confiscated and further direction to the respondents to release
the vehicle seized in connection with M.U. P.S. Case No. 69
of 2017 for the offences punishable under Sections 272, 273,



414 of I.P.C. and 30(a), 32(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)

K.C.Jha/-

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