

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11036 of 2018

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Rohit @ Rohit Kumar Prabhakar S/o Sri Sunil Kumar, resident of House No. 155, Siddheshwar Nagar, Near Forest Office Mohalla- Mainpura, Boring Road, P.S.- Patliputra, Town and District- Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate, Gaya.
3. The District Transport Officer, Patna.
4. The S.H.O. Barachatti Police Station, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Pratyush Kumar, Adv.
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)

3 21-01-2020 Heard learned counsel for the petitioner and the respondents.

The petitioner prays for setting aside the order dated 4.4.2018 passed by the District Magistrate, Gaya, in Excise Prohibition Confiscation Case No.37 of 2016 whereby vehicle of the petitioner, namely, Swift Dzire car bearing Registration No. BR01-CN-1951 has been confiscated and further direction to the respondents to release the vehicle seized in connection with Barachatti P.S. Case No. 258 of 2016 for the offences



punishable under Sections 279/427/272/273 of Indian Penal Code and 47(a) of the Bihar Prohibition and Excise (Amendment) 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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