

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.13756 of 2018**

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Girijesh Kumar Singh, Son of Baj Kishore Singh @ Bhola Singh, R/o Village Ekma Chattee, P.S.- Ekma District- Saran at Chapra.

... .. Petitioner

Versus

1. The State Of Bihar through its Secretary, Excise Department, Patna.
2. The Excise Commissioner, Bihar, New Secretariat, Patna.
3. The District Magistrate cum Collector Saran at Chapra.
4. The Superintendent of Police, Saran at Chapra.
5. The Deputy Superintendent of Police, Saran at Chapra.
6. The Officer-in-Charge, Ekma Police Station, Saran at Chapra.

... .. Respondents

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**Appearance :**

For the Petitioner : Mr. Nawal Kishore Singh, Adv.  
For the Respondents : Mr. Anil Kr. Sinha- GA-1

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**CORAM: HONOURABLE THE CHIEF JUSTICE**

**and**

**HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**

ORAL ORDER

**(Per: HONOURABLE THE CHIEF JUSTICE)**

4      21-01-2020                      Heard learned counsel for the petitioner and the respondents.

The petitioner prays for setting aside the order dated 12.09.2017 passed by the District Magistrate, Saran at Chapra in Confiscation Case No. 298 of 2017 whereby an open room of the petitioner built of bricks in Mauza Ekma Chattee Khata No. 1439, Plot No. 4517 has been confiscated/sealed and further direction to the respondents to unseal and hand over the possession of the room to the petitioner sealed in connection



with Ekma P. S. Case No. 156 of 2016 registered for the offences punishable under Section 47 of the revised Bihar Prohibition and Excise Act, 2016.

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)**

K.C.Jha/-

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