

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15022 of 2018

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Maheshwari Yadav Son of Madhukar Yadav, resident of Village- Rampur
Horil Tola, P.O.- Kedli, P.S. Nauhatta, District- Saharsa.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate cum Collector, Saharsa.
3. The Superintendent of Police, Saharsa.
4. The S.H.O. of Nauhatta Police Station, Saharsa.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate
For the Respondent/s : Mr. Vivek Prasad, G.P. 7

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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
02.02.2018 passed by the District Magistrate cum Collector,
Saharsa, in Confiscation (Excise) Case No. 31/17-18, whereby
Hero Passion Pro Motorcycle bearing Registration No. BR 19H
0669 of the petitioner has been confiscated and further direction
to the respondents to release the vehicle in question seized in
connection with Confiscation Case No. 31/17-18 arising out of
Nauhatta P.S. Case No. 139 of 2017 for the offences punishable



under Section 30(a) 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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