

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12017 of 2019

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Rajesh Paswan Son of Sudama Manjhi Resident of Village- Don Khurd,
Dhodhya, Police Station- Guthani, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Department of Excise,
Govt. of Bihar, Patna.
2. The District Magistrate cum Collector Siwan.
3. The Superintendent of Police Siwan.
4. The Officer in Charge Guthani, Police Station, District- Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar, Adv.
For the Respondent/s : Mr.Vikash Kumar (Sc11)

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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
7.5.2019 passed by the learned 2nd Additional Sessions Judge-
cum-Special Judge, Excise Act, Siwan in Guthani P.S. Case No.
20 of 2019 whereby the learned Special Judge has rejected the
petition filed on behalf of the petitioner for release of his
motorcycle bearing Registration No. BR-29L-7254 and further
direction to the respondents to release the vehicle seized in



connection with the aforesaid case 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)

K.C.Jha/-

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