

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.13511 of 2019**

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Santosh Kumar S/o Diplal Mahto Resident of Village Kara Kharagi, Ward  
No.3, PS Parsauni, Dist. Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary of the Excise Department,  
Bihar at Patna
2. The Collector cum District Magistrate, Sitamarhi
3. The Superintendent of Police, Sitamarhi
4. The Officer-in-Charge, Sitamarhi, Police Station, Sitamarhi
5. The Excise Officer, Sitamarhi

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Ranjeet Kumar Mishra, Advocate  
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 release of the Three Wheeler Rickshaw (for Handicapped use) in question, seized in connection with Case No. C2-629/18, registered under Section 30(a) of the 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)**

P.K.P./-Sushma

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