

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 14328 of 2019

Pradum Kumar @ Pradum Kumar Singh, Son of Sri Maheshwar Singh,
Resident of Village Malpur, P.S. Khushrupur, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Excise Department of Bihar, Patna.
2. The District Magistrate, Patna.
3. The District Transport Officer, Patna.
4. The S.H.O. Daniywan, Police Station, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Pratyush Kumar, Advocate
For the Respondent/s : Mr. Vivek Prasad (GP-7)

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 confiscation proceeding of the District Magistrate, Patna, in Confiscation Case No. 2603 of 2018-19 and release of the vehicle, namely, Splender + Motorcycle bearing Registration No. BR-01DQ-9820 and Samsung J2 Mobile which have been seized in connection with Daniawan P.S. Case No. 149 of 2018 for the offences punishable under Sections 30(a), 38(1) and 37(c) 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 down loaded 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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