

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.13590 of 2019

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Krishna Kumar Mishra @ Krishna Kr. Mishra S/o Shiv Kumar Mishra
Resident of Mohalla-65 GA,Gurhatta,P.S.Patna City Chowk,Dist.Patna

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary,Registration,Excise and Prohibition Department Bihar,Patna
2. The Excise Commissioner, Bihar Prohibition and Excise Act 216 Department of Bihar,Patna
3. The Excise Officer, Bihar Prohibition and Excise Act 216 Department of Bihar,Patna
4. The District Collector, Dist.Patna,Bihar
5. The Superintendent of Police, District Patna,Bihar
6. The Officer in-Charge of Bypass Police Station, Dist.Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad, 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 Motorcycle bearing



Registration No. BR-01DW-5312 seized in connection with Special Case No. 8446 of 2018, arising out of Bypass P.S. Case No. 289 of 2018 registered for the offences under Sections 379, 411, 413 and 414 of the Indian Penal Code and 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)

P.K.P./-Sushma

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