

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 14133 of 2019

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Ramesh Mahato @ Ramesh Mahto, Son of Lutan Mahato, Resident of
Village-Murarpatti, Police Station-Nautan, 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 Nautan, Police Station, District-Siwan
... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar, 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 setting aside the order dated
18.06.2019 passed by the learned 2nd Additional Session Judge
cum Special Judge, Excise, Siwan refusing release of the
vehicle of the petitioner, namely, Hero Splendor + bearing
Registration No. BR-29AB-1425 seized in Nautan P.S. Case No.
50 of 2019 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 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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