

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14697 of 2019

Prakash Sao @ Prakash Saw, Son of Babulal Sao, Resident of Village-Charadih, Thana No. 270, Police Station- Kodarma, District- Kodarma.

... .. 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 2016, Department Bihar, Patna.
3. The Excise Officer, Bihar Prohibition and Excise Act 2016 Department Bihar, Patna.
4. The District Collector, District- Patna, Bihar.
5. The Superintendent of Police, District- Patna, Bihar.
6. The Officer In-Charge of Patna City Chowk, Police Station, District- Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad
For the Respondent/s : Mr. Vivek Prasad (Gp7)

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 four wheeler, i.e., Maruti Alto 800 bearing Registration No. JH-12E-3534 which has been seized in connection with Special Case No. 4708 of 2019, arising out Chowk P.S. Case No. 191 of 2019, for the offences punishable under Sections 290/272/273/34 of the Indian Penal Code and Sections 30(a)/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 downloaded 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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