

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.15470 of 2019**

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Shambhu Sharan @ Shambhu Sharma son of Late Ramashray Singh resident  
of Village- Bhimnichak, P.S. Dulhin Bazar, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department,  
Govt. of Bihar, New Secretariat, Patna- 800001.
2. The Excise Commissioner, Govt. of Bihar, New Secretariat, Patna- 800001.
3. The District Magistrate, District Collector at Office, District- Patna- 800003.
4. The Senior Superintendent of Police, S.S.P., Office at Patna, District- Patna-  
800003.
5. The Asst. Commissioner of Excise, District Excise Office at Patna, District-  
Patna- 800003.
6. The Sub- Divisional Officer, Sub- Division- Paliganj, District- Patna.
7. The Excise Inspector, District Excise Office at Patna, District- Patna.
8. The Circle Officer, Circle- Paliganj, District- Patna.
9. The Thana In charge, P.S. Dulhin Bazar, District- Patna.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Jayram Sharma  
For the Respondent/s : Mr.Vikash Kumar ( Sc11 )

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**CORAM: HONOURABLE THE CHIEF JUSTICE**

**and**

**HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**  
**ORAL ORDER**

**(Per: HONOURABLE THE CHIEF JUSTICE)**

3      23-01-2020                      Heard learned counsel for the petitioner and the  
respondents.

The petitioner prays for quashing of order dated  
14.11.2017 passed by the Collector cum District Magistrate,  
Patna in Confiscation Case No. 375 of 2017-18, arising out  
Dulhin Bazar P.S.Case No. 49 of 2017 as well as order dated



30.11.2018 passed by the Circle Officer, Dulhin Bazar, patna, by which Dalan/House of the petitioner situated at Mauza-Bhimnichak, P.S. No. 237, Thana-Dulhin Bazar, District- Patna under Khata No. 112, Khesra No. 294, Area-18 decimal was sealed by the concerned authority for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2018. And for other relief(s) for which the petitioner is legally entitled.

Learned counsel for the petitioner invites our attention to the order dated 9<sup>th</sup> January, 2020 passed in CWJC No. No. 20598 of 2019 titled as Md. Shaukat Ali 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 9<sup>th</sup> January, 2020 passed in CWJC No. No.20598 of 2019 titled as Md. Shaukat Ali 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. No.20598 of 2019 titled as Md. Shaukat Ali Vs. The State of Bihar & Ors. which can be conveniently down loaded from the internet.

Petitioner undertakes to appear in the office of the concerned appropriate authority/the concerned District Magistrate, on the 10<sup>th</sup> of February, 2020 and apprise him of the passing of the order.

No order as to costs.

Petition stands disposed off in the aforesaid terms.

**(Sanjay Karol, CJ)**

**( Anil Kumar Upadhyay, J)**

sujit/-

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