

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17579 of 2019

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Ramesh Gupta, S/o Mahesh Gupta, r/o Village- Maushatan, P.S. Bihiya,
District- Bhojpur, Arrah. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Excise and Prohibition Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Excise and Prohibition Department, Govt. of Bihar, Patna.
3. The District Magistrate, Bhojpur, Arrah.
4. The Superintendent of Police, Bhojpur, Arrah.
5. The Station House Officer, Bihiya Police Station, Bihiya, Bhojpur, Arrah.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Tej Pratap Singh, Advocate
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)

4 21-01-2020 On 14.01.2020 no one appeared on behalf of the petitioner to press the writ petition despite repeated calls. Under the aforesaid circumstances the case was directed to be listed before appropriate Division Bench on 18.03.2020.

Today learned Counsel for the petitioner filed mention Memo and submitted that his case may be notified and disposed off in terms of the usual order passed in similar matter. In his mention memo he has mentioned CWJC No. 3245 of 2017 but the order passed in that case is applicable to a fact situation where the vehicle was provisionally released. In the instant case the vehicle has not been provisionally released and his case is covered by the order dated 09.01.2020 passed in CWJC No. 20598 of 2019 titled as Md. Shaukat Ali Vs. The



State of Bihar and Ors. Considering the aforesaid, the case has been notified under the heading “For Admission”.

With the consent of the parties, the present writ petition is disposed in the light of the order dated 09.01.2010 passed in CWJC No.20598 of 2019. Observations and direction in the case of Md. Shaukat Ali (Supra) shall be deemed to be incorporated in the present case. The observations and directions made therein shall mutatis mutandis apply in this case also. The petitioner shall be under obligation to submit copy of this order along with the order passed in Md. Shaukat Ali (Supra) before the appropriate authority, who shall be under obligation to act strictly in accordance with the direction issued in Md. Shaukat Ali (Supra).

In view of the above, present application is disposed of in terms of the order dated 09.01.2020 passed in CWJC No. 20598 of 2019 titled as Md. Shaukat Ali Vs. The State of Bihar and Ors.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

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