

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4688 of 2018

In
Criminal Writ Jurisdiction Case No.2839 of 2017

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1. Sidheshwar Mochi and Anr Son of Late Biltu Mochi, Resident of Village-Chhoti Nawada, Presently Resident of Village-Mirzapur Nohta, P.S. Fatuha, District-Patna.
 2. Smt. Kamla Devi, W/o Sri Sidheshwar Mochi, Resident of Village-Chhoti Nawada, P.O.-Kataona, P.S. Khusrupur, District-Pana.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate, Patna.
3. The Senior Superintendent of Police, Patna.
4. The Commissioner, Excise, Government of Bihar, Patna.
6. The Nodal Officer, Excise Prohibition Cell, District-Patna.
7. The Officer-in-Charge, Fatuha Police Station, District-Patna.
8. The Circle Officer, Fatuha Block at Fatuha, District-Patna.
9. The Investigating Officer, Fatuha Police Station Case, No. 141/2017, Fatuha, District-Vaishali.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Pandey Sanjay Sahay, Advocate
For the Respondent/s : Mr. P.N. Shahi- A.A.G. 6

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

5 21-01-2020 Heard learned counsel for the petitioners and the respondents.

The petitioners prays for setting aside the order dated 02.11.2017 passed by the District Magistrate, Patna, in Confiscation Case No. 385/2017-18 whereby Godown and land



of the petitioners has been confiscated and further direction to the respondents to release the property in question seized in connection with Fatuha P.S. Case No. 141 of 2017 for the offences punishable under the provisions 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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