

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1632 of 2018

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Prahalad Mishra son of Munnudeo Mishra, resident of Village and P.S. Pupri,
District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The District Magistrate-cum- Collector, Sitamarhi.
3. The Superintendent of Police, Sitamarhi, District- Sitamarhi.
4. The Excise Superintendent, Sitamarhi, District- Sitamarhi.
5. The Station Head Officer, Pupri Police Station, District- Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh
For the Respondent/s : Mr. Vikash Kumar- SC-11

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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 Heard learned counsel for the petitioner and the

respondents.

The petitioner prays for setting aside the order dated
01.07.2016 passed by the District Magistrate, Sitamarhi, in
Confiscation Case No. 15 of 2016 whereby shop of the
petitioner has been confiscated and further direction to the
respondents to release the property in question seized in
connection with Pupri P.S. Case No. 74 of 2016 for the offences
punishable under Sections 272, 273 of the Indian Penal Code
and Section 47(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 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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