

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5119 of 2018

Govind Yadav, son of Rajdev Yadav, resident of Village- Lamahi Bhisunpura,
P.O.- Deochandpur, P.S.- Saidpur, District- Ghazipur (U.P.), The authorized
attorney of Rivigo Services Private Limited Company.

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary of the Excise Department, Bihar at Patna
2. The Collector cum District Magistrate, Kaimur at Bhabua.
3. The Superintendent of Police, Kaimur at Bhabua.
4. The Sub- Divisional Police Officer, Bhabua.
5. The Officer-in- Charge of Police Station, Bhabua, District Kaimur at Bhabua.
6. The Excise Inspector, Bhabua, District Kaimur at Bhabua.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Dharmendra Kumar Singh, Advocate
For the Respondent/s : Mr.Kumar Manish, SC-5

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 setting aside the order dated
30.12.2017 passed by the District Magistrate, Kaimur, Bhabhua,
in Confiscation Case No.291 of 2017-18 whereby vehicle,
namely, Truck, bearing Registration No. HR55Y - 5030 has
been confiscated and further direction to the respondents to
release the vehicle seized in connection with Excise Case No.



1166 of 2017 for the offences punishable under 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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