

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5177 of 2018

In
Criminal Writ Jurisdiction Case No.157 of 2018

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Mithlesh Kumar @ Mithlesh Yadav Son of Ramchandra Yadav, Resident of
Village-Dharahara Kala, P.S.-Fatehpur, District-Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Registration, Excise and Prohibition department, Government of Bihar, Patna.
2. The Collector/District Magistrate, Gaya, District-Gaya.
3. The Deputy Excise Commissioner , Gaya.
4. The Senior Superintendent of Police, Gaya.
5. The Superintendent of Excise, Gaya.
6. The Police Inspector Cum S.H.O. Fatehpur POLice Station, District-Gaya.
7. The Police Sub-Inspector Charma Urawa Fatehpur Police Station, District-Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha
For the Respondent/s : Mr. GA1

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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
08.08.2017 passed by the District Magistrate Gaya, in
Confiscation Case No. 20 of 2017 arising out of Fatehpur P.S.
Case No. 30 of 2017 whereby vehicle, namely Bolero
bearing Registration No. BR-27E/2249 has been confiscated and



further direction to the respondents to release the vehicle seized in connection with Fatehpur P.S. Case No. 30 of 2017 for the offences punishable under Section 272, 273 and 34 of the Indian Penal Code and Section 30(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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