

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.1293 of 2018**

=====

Md. Mofaj Ansari S/o late Jamruddin Ansari Resident of Village- Pipradhi,  
P.S. Sursand, Distt. Sitamarhi.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The District Magistrate Sitamarhi, Distt. Sitamarhi.
3. The Superintendent of Police Sitamarhi, Distt.- Sitamarhi.
4. The Officer in-Charge, Excise, Sitamarhi, Distt.- Sitamarhi.

... .. Respondent/s

=====

**Appearance :**

For the Petitioner/s : Mr.Sanjay Kumar  
For the Respondent/s : Mr.Vikash Kumar -Sc11

=====

**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  
03.11.2017 passed by the District Magistrate, Sitamarhi, in  
Confiscation Case No. 214 of 2017 whereby vehicle, namely,  
Bajaj Discover motorcycle bearing Registration No. 30M-0719  
has been confiscated and further direction to the respondents to  
release the vehicle seized in connection with Case No. C2-370  
of 2017, 530 of 2017 for the offences punishable under Section  
30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner invites our attention



to the order dated 18<sup>th</sup> 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 18<sup>th</sup> 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)**

mdrashid/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

