

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1895 of 2018

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Kajal Devi @ Kajal Kumari W/o Pankaj Kumar Resident of Village- Khutaha,
P.S. Morkahi, District- Khagaria. at Present Resident of Mohalla- Mathurapur
Tola Kamalpur, P.S. Khagariatown, District- Khagaria.

... .. Petitioner/s

Versus

1. The State Of Bihar through its Principal Secretary, Excise Department, Patna.
2. The Divisional Commissioner, Excise Department of Munger, Division at Munger.
3. The Collector, Khagaria at Khagaria.
4. The Superintendent of Police, Khagaria at Khagaria.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar, Advocate
For the Respondent/s : Mr. Vivek Prasad- GP-7

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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 05.09.2017 passed by the District Magistrate, Khagaria, in Excise Confiscation Case No. 72 of 2017-18 arising out of Khagaria P.S. Case No. 354 of 2017 whereby house of the petitioner bearing Khata No.1, Plot NO. 1309, Khata No. 154, Plot No. 765 has been confiscated and further direction to the respondents to release the house in question seized in



connection with Khagaria P.S. Case No. 354 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 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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