

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1144 of 2018

-
1. Raghunath Rai @ Raghunath Prasad Yadav S/o Ramagya Prasad Yadav, Resident of Village- Motipur Bazar, P.S.- Motipur, District- Muzaffarpur.
 2. Shatrudhan Rai, S/o Bira Rai, Resident of Village- Mohamadpur Balmi, P.S.- Motipur, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise and Prohibition, Government of Bihar, Patna.
2. The Collector cum District Magistrate, Muzaffarpur.
3. The Excise Superintendent, Muzaffarpur.
4. The Sub Divisional Officer, West, Muzaffarpur.
5. The Circle Officer, Motipur, Muzaffarpur.
6. The Excise Sub Inspector, Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Pawan 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)

4 21-01-2020 Heard learned counsel for the petitioners and the respondents.

The petitioners pray for setting aside the order dated 25.09.2017 passed by the District Magistrate, Muzaffarpur, in Confiscation Case No. 101 of 2017-18 (arising out of Excise Case No. PR No. 13 of 2017-18) whereby shop of the petitioner has been confiscated and further direction to the respondents to



release the vehicle seized in connection with Confiscation Case No. 101 of 2017-18 (arising out of Excise Case No. PR No. 13 of 2017-18) for the offences punishable under Section 58 of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioners 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)

mdrashid/-

U			
---	--	--	--

