

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 2612 of 2018

Ati Ranjan Devi, Wife of Sri Dilip Kumar Gupta, Resident of Village -
Madhurapur, Police Station - Bihpur, District - Munger.

... .. Petitioner

Versus

1. The State Of Bihar through the Principal Secretary, Registration, Excise and Prohibition Department, Govt. of Bihar, Patna.
2. The Commissioner, Excise Registration and Prohibition Department, Government of Bihar, Patna.
3. The District Magistrate, Bhagalpur.
4. The Superintendent of Excise, Bhagalpur.
5. The S.H.O. Nathnagar, Lalmatia Police Station, District - Bhagalpur.

... .. Respondents

Appearance :

For the Petitioner : Mr. Dilip Kumar, Adv.
For the Respondents : Mr. Vivek Prasad, GP-7

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 19.01.2018 passed by the District Magistrate, Bhagalpur in Miscellaneous (Excise) Case No. 48 of 2017-18 whereby the house of the petitioner has been confiscated/sealed and further direction to the respondents to unseal and hand over the possession of the house to the petitioner sealed in connection with Bihpur (Bhawanipur) P. S. Case No. 87 of 2017 registered



for the offences punishable under Sections 30(a), 39(i) 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)

Rajeev Kumar/-

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