

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.7948 of 2018**

Kalicharan Bin S/o Late Ramjee Bin, Resident of Village- Akhauripur Gola,  
P.S.- Buxar Muffasil, District- Buxar.

... .. Petitioner/s

Versus

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

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr.Arun Kumar Gupta  
For the Respondent/s : Mr.Anil Kr. Sinha- Gal

**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 22.12.2017 passed by the Collector/ District Magistrate, Buxar in Confiscation Case No. 128 of 2017 whereby vehicle, namely, Auto Rickshaw bearing Registration No. BR44P-3564 has been confiscated and further direction to the respondents to release the vehicle seized in connection with Buxar (Muffasi) P.S. Case No. 110 of 2017, for the offences punishable under Section 30(a) of the Bihar Excise and Prohibition 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)**

Ranjeet/-

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