

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13258 of 2018

Amrit Raj, Son of Late Hemraj, Resident of Village- Kehrwin, Police Station- Vhoranj, District- Hamirpur, Himachal Pradesh in Capacity of authorised Power of Attorney on behalf of CJ- DARCL Logistic Limited Company having its registered office at Plot No. 55-Sector- 44, Gurgaon (Haryana).

... .. Petitioner

Versus

1. The State Of Bihar through the Principal Secretary, Department of Excise, Govt. of Bihar, Patna.
2. The Excise Superintendent, Muzaffarpur.
3. The Sub Inspector, Excise (Town Anchal), Muzaffarpur.
4. The Collector- cum-Magistrate, Muzaffarpur.

... .. Respondents

Appearance :

For the Petitioner : Mr. Bipin Kumar, Adv.
For the Respondents : Mr. Anil Kr. Sinha- GA-1

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 11.01.2018 passed by the District Magistrate, Muzaffarpur in Confiscation Case No. 180 of 2017-18 whereby vehicle, namely, TATA Truck bearing Registration No. HR 63B 2399 has been confiscated and further direction to the respondents to release the vehicle seized in connection with Excise Case No. P.R. 39 of 2017-18 (Town Anchal) registered for the offences punishable



under Sections 30(a), 32(2), 38 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)

K.C.Jha/-

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