

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12366 of 2018

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Daroga Chaurasiya @ Daroga Bhagat Son of Late Jagdev Bhagat, Resident of
Village- Parsagarh Bazar, P.S.- Ekma, District- Saran.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Registration Excise and Prohibition Department,
Government of Bihar, Patna
3. The District Magistrate-cum-Collector, Saran at Chapra.
4. The Sub-Divisional Officer, Sadar, Chapra, Saran.
5. The Superintendent of Excise Chapra, District- Saran.
6. The Circle Officer, Parsa, District- Saran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Nawnit Kumar Tiwary, Adv.
For the Respondent/s : Mr.Vikash Kumar - Sc 11

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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 13.10.2017 passed by the District Magistrate, Saran at
Chapra in Confiscation Case No.293 of 2017 whereby the
house of the petitioner has been sealed and confiscated and
further direction to the respondents to unseal and hand over
the possession of the property sealed and confiscated in



connection with Ekma P.S. Case No. 130 of 2016 for the offences punishable under Sections 272/273 of Indian Penal Code and Section 47 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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