

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7580 of 2017

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Chulhai Choudhary Son of Late Mushar Choudhary Resident of Village-
Rajopatti, P.S.-Sitamarhi, Dist.-Sitamarhi.

... .. Petitioner/s

Versus

1. The State Of Bihar through Chief Secretary.
2. The Excise Superintendent , Sitamarhi.
3. District Magistrate, Sitamarhi.
4. Sub Inspector, Excise, PraharBal, Sitamarhi.
5. Inspector Excise, Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh, Adv.
For the Respondent/s : Mr. Kumar Manish-SC-5

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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 23.12.2016 passed by the District Magistrate, Sitamarhi in Confiscation Case No. 114 of 2016 whereby the residential house of the petitioner has been confiscated/sealed and further direction to the respondents to unseal and hand over the possession of the residential house to the petitioner sealed in connection with Case No. C-2/294/16 registered for the offences punishable under Section 30(k)(g) 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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