

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13429 of 2017

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Mahesh Choudhary Son of Late Suresh Choudhary, Resident of Mohalla/
Village- Jamalpur Bigha, P.S. and District- Sheikhpura.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Collector Cum District Magistrate, Sheikhpura.
3. The Secretary, Excise Department Govt. of Bihar, Patna.
4. The Excise Chemical Inspector Bihar, Patna.
5. The Sub- Inspector, Excise, Sheikhpura.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, 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)

4 21-01-2020 Heard learned counsel for the petitioner and the
respondents.

The petitioner prays for setting aside the order dated
03.06.2017 passed by the District Magistrate, Sheikhpura in
Confiscation Case No. 25 of 2017 whereby the house of the
petitioner situated at Mauza Jamalpur, Thana No. 167, Khata
No. 331, Kheshra No. 1799 and 1801 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 Case No. 13C2 of 2017



registered for the offences punishable under Sections 30(a), 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)

Rajeev Kumar/-

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