

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17293 of 2017

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Nirmal Kumar Son of Gandhi Devendra @ Gandhi Prasad Yadav@ Sri
Gandhi Yadav Resident of Village- Sakra Paharpur, P.S. - Simri, Bakhtiarpur,
District- Saharsa.

... .. Petitioner/s

Versus

1. The State Of Bihar through the District Magistrate, Madhepura, District Madhepura..
2. The District Magistrate Madhepura, District- Madhepura.
3. The Superintendent of Police, Madhepura, District- Madhepura.
4. The Sub- Divisional Police Officer, Madhepura, District- Madhepura.
5. The Officer Incharge of Singheshwar Police Station, District-Madhepura.
6. Sri Sant Lal Singh Son of not known Sub Insepctor of Police, Singheshwar Police Station, District Madhepura and the Investigating Officer of Singheshwar P.S. Case No. 142/2017 dated 22.06.2017
7. Sri Anil Kumar Son of not known Sub Inspector of Police, Singheshwar Police Station, Informant of Singheshwar P.S. Case No. 142/2017
8. The Excise Superintendent, Madhepura, District- Madhepura.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bhim Kumar Yadav, Adv.
For the Respondent/s : Mr. Vivek Prasad - GP-7

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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 03.11.2017 passed by the District Magistrate, Madhepura in Confiscation Case No. 63 of 2017 whereby vehicle, namely, Scorpio bearing Registration No. BR 19C 5647 has been



confiscated and further direction to the respondents to release the vehicle seized in connection with Singheshwar P. S. Case No. 142 of 2017 registered for the offences punishable under Section 30(a) 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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