

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17466 of 2017

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Satyendra Rai S/o Late Yadunath Rai, Resident of Village- Jorawarpur, P.O.-
Bhore, P.S.- Bhore, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The Excise Commissioner, Government of Bihar, New Secretariat, Patna.
3. The District Magistrate-cum-Collector, Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Shahi, Advocate
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 03.10.2017 passed by the District Magistrate, Gopalganj, in Confiscation (Excise) Case No. 108 of 2017 whereby vehicle, namely, Hero HF Deluxe motorcycle bearing Registration No. BR-29Y-5191 has been confiscated and further direction to the respondents to release the vehicle seized in connection with Bhore P.S. Case No. 42 of 2017 for the offences punishable under Sections 272, 273, 308 and 420 of the Indian Penal Code and under Section 30(a), 35, 38, 37(b) 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)

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