

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.18190 of 2017**

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Raj Kumar Yadav @ Raj Kumar S/o Achraj Yadav, Resident of Mohalla-Chiraiyatarn, P.S-Rampur, District-Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Excise Commissioner, Government of Bihar, Patna.
2. The District Magistrate, Gaya, District-Gaya.
3. The Senior Superintendent of Police, Gaya, District-Gaya.
4. The Superintendent of Police, Excise, Gaya, District-Gaya.
5. The Assistant Excise Commissioner, Gaya, District-Gaya.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Ravindra Kumar Sinha, Advocate  
For the Respondent/s : Mr. Pankaj Kumar -SC-12

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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 16.09.2017 passed by the District Magistrate, Gaya, in Excise Confiscation Case No. 56 of 2016 (arising out of Magadh University P.S. Case No. 67 of 2016) whereby vehicle, namely, Passion Pro black colour bearing Registration No. BR-02 P-7114 has been confiscated and further direction to the respondents to release the vehicle seized in connection with Magadh University P.S. Case No. 67 of 2016 for the offences



punishable under Section 47(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner invites our attention to the order dated 18<sup>th</sup> 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 18<sup>th</sup> 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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