

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19335 of 2017

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Arjun Choudhary son of Late Ganesh Choudhary, Resident of Village-
Gobindapur, P.O.- Areraj, Police Station- Harsidhi, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise,
Government of Bihar, Patna.
2. The District Magistrate, East Champaran, Motihari.
3. The Superintendent of Police, East Champaran, Motihari.
4. The Officer in Charge, Govindganj, Police Station, District- East
Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar, Advocate
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
31.10.2017 passed by the District Magistrate, East Champaran
at Motihari, in Excise Confiscation Case No. 767 of 2017
whereby vehicle, namely, Super Splendor motorcycle bearing
Registration No. BR-22 Y-7220 has been confiscated and further
direction to the respondents to release the vehicle seized in
connection with Govindganj Areraj P.S. Case No. 205 of 2017
for the offences punishable under Sections 272, 273 of the



Indian Penal Code and Section 30, 37, 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)

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