

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 2997 of 2018

1. Surendra Sah, Son of Shiv Balak Singh
2. Gyan Kumar Son of Surendra Sah
3. Krishna Kumar Son of Surendra Sah
All Residents of Village- Shankar Dih, Parsa Police Station- Parsa,
District- Saran.

... .. Petitioners

Versus

1. The State Of Bihar through the District Magistrate, Saran at Chapra.
2. The District Magistrate, Saran at Chapra.
3. The Superintendent of Police, Saran at Chapra.
4. The Excise Commissioner, Saran at Chapra.
5. The Superintendent of Excise, Saran at Chapra.
6. The Sub-Divisional Officer, Sadar, chapra.
7. The Circle Officer, Parsa, Saran.
8. The Officer-in-Charge, Parsa Police Station, Saran, Chapra.

... .. Respondents

Appearance :

For the Petitioners : Mr. Ajay Kumar, Adv.
For the Respondents : Mr. Anil Kumar Sinha -GA-1

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 21-01-2020 Heard learned counsel for the petitioners and the respondents.

The petitioners pray for setting aside the order dated 03.10.2017 passed by the District Magistrate, Saran at Chapra in Confiscation Case No. 82 of 2017 whereby the shop/house of the petitioner has been confiscated/sealed and further direction



to the respondents to unseal and hand over the possession of the house/shop to the petitioner sealed in connection with Parsa P. S. Case No. 90 of 2017 registered for the offences punishable under Sections 272, 273/34 of the Indian Penal Code and Section 30/30(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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