

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 3829 of 2018

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Md. Israil, S/o- Md. Abbas Alam, Resident of Mohalla- Forbesganj, Alam Tola, Ward No. 22, P.S. Forbesganj, District- Araria.

... .. Petitioner

Versus

1. The State Of Bihar through the Principal Secretary, Excise Department, Govt. of Bihar.
2. The District Magistrate, Araria.
3. The Superintendent of Police, Araria.
4. The Station House Officer S.H.O., Jogbani Bathnaha P.S., District- Araria.

... .. Respondents

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Appearance :

For the Petitioner : Mr. Md. Naushad Uzzoha, Adv.
For the Respondents : 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)

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

The petitioner prays for setting aside the order dated 08.12.2017 passed by the District Magistrate, Araria in Confiscation Case No. 33 of 2017-18 whereby vehicle, namely, Tampoo (Auto Rikshaw) bearing Registration No. BR 38P 1194 has been confiscated and further direction to the respondents to release the vehicle seized in connection with Bathnaha (Jogbani) P. S. Case No. 108 of 2019 registered for the offences punishable under Sections 272, 273 of the Indian Penal Code and Section 47 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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