

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 4318 of 2018

Arif Ahmad, son of Md. Musan Ali resident of mohalla - Purana Thana, Ward no. 19, Bhabua, P.S. - Bhabua, District - Kaimur at Bhabua.

... .. Petitioner

Versus

1. The State Of Bihar through the Principal Secretary, Excise Department, Govt. of Bihar, Patna.
2. The District Collector cum District Magistrate, Kaimur at Bhabua.
3. The Superintendent, Excise, Kaimur at Bhabua.
4. The Superintendent of Police, Kaimur at Bhabua.
5. The S.H.O. Mohania Police Station, District - Kaimur at Bhabua.
6. The Sub-Inspector Informant, Mohania Police Station , District - Kaimur at Bhabua.

... .. Respondents

Appearance :

For the Petitioner : Mr. Parwej Khan, Adv.
For the Respondents : Mr. Vivek Prasad -GP-7

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 09.02.2018 passed by the District Magistrate, Kaimur at Bhabua in Confiscation Case No. 02 of 2018 whereby vehicle, namely, Santro Car bearing Registration No. UP 65BA 2357 has been confiscated and further direction to the respondents to release the vehicle seized in connection with Mohania P. S. Case No. 723 of 2017 registered for the offences punishable under Section 30(a), 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)

Rajeev Kumar/-

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