

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7001 of 2018

Prabhunath Tiwari Son of Thakur Tiwary Resident of Village - Md. Ramjani
Lane Jora Bagan P.S. Jora Bagan Dist. Kolkatta W.B.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Department of Excise, Govt. of Bihar, Patna.
2. The District Magistrate, Saran at Chapra.
3. The Superintendent of Police, Saran at Chapra.
4. The In Charge Excise Superintendent, Saran at Chapra.
5. The S.H.O. Ekma P.S., District - Saran at Chapra.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha
For the Respondent/s : Mr.Vikash Kumar-Sc11

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 23.06.2017 passed by the Collector, Saran at Chapra, in Confiscation Excise) Case No. 8 of 2017 whereby vehicle, namely, Truck bearing Registration No. WB-23B-8021 has been confiscated and further direction to the respondents to release the vehicle seized in connection with Ekma P.S. Case No. 131/2016, (G.R. No. 4779/2016) for the offences punishable under Sections 272, 273 of the Indian Penal Code and Section 47A 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)

Ranjeet/-

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