

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6566 of 2018

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Gunjan Singh @ Himansu Raj Bardhan S/o Abhimanyu Prasad Singh,
Resident of village- Aami Chohani Patti, P.S.- Dighwara, District- Saran.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Department of Excise, Government of Bihar, Patna.
2. The Excise Commissioner, Division Chhapra, Saran.
3. The District Magistrate cum Collector, Saran Chhapra.
4. The Sub Divisional Magistrate, Sonpur.
5. The Superintendent, Excise cum Incharge Officer, Revenue Department, Saran Saran, Chhapra.
6. The Circle Officer, Dighwara, Saran, Chhapra.
7. The District Excise Officer, Saran, Chhapra.
8. The S.H.O. of Dighwara, Police Station, District- Chhapra.
9. The Excise Inspector, Saran, Chhapra.
10. The Investigating Officer of Dighwara Police Station District- Saran, Chhapra Dighwara Police Stati

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Shekhar Kumar Singh
For the Respondent/s : Mr.Anil Kumar Sinha -Ga1

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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 quashing the order dated 30.01.2018 passed by the District Magistrate-cum-Collector, Saran, Chhapra, in Confiscation Case No. 91/2017 whereby property of the petitioner bearing Tauzi No. 2925, Khata No.



196, 198 and Jamabandi No. 112/274 has been confiscated and further direction to the respondents to release the vehicle seized in connection with Dighwara P.S. Case No. 86/2017, for the offences punishable under Sections 272, 273 of the Indian Penal Code and Section 47 of the Excise (Bihar Amendment) 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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