

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6960 of 2018

Shailendra Kumar Pandit @ Shailendra Pandit Son of Surat Pandit, resident
of Village- Matihani Nain, P.S.- Mirganj, Dist.- Gopalganj.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The District Magistrate, cum Collector, Gopalganj.
3. The Superintendent of Police, Gopalganj.
4. The Superintendent Excise, Gopalganj.
5. The S.H.O. Mirganj Police Station, Dist.- Gopalganj.
6. The Investigating Officer of Mirganj P.S. Case No. 57/17, Mirganj Police Station, Gopalganj.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Dubey
For the Respondent/s : Mr.Vivek Prasad -Gp7

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, Gopalganj in Excise Confiscation Case No. 102/2017 whereby vehicle, namely, Maxximo bearing Registration No. BR-01GB-8039 has been confiscated and further direction to the respondents to release the vehicle seized in connection with Mirganj P.S. Case No. 57/2017, for the offences punishable under Sections 272, 273 of the Indian Penal Code and section 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)

Ranjeet/-

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