

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7546 of 2018

In
Criminal Writ Jurisdiction Case No.264 of 2018

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Laxman Bhagat, son of late Ram Snehi Bhagat, resident of Village- Lachhua,
P.S. Bathnaha, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State Of Bihar through the District Magistrate, Sitamarhi.
2. The S.P., Sitamarhi.
3. The Excise Superintendent, Sitamarhi.
4. The Officer-in-Charge, Sitamarhi Police Station, District-Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar
For the Respondent/s : Mr.Vivek Prasad -Gp7

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

4 21-01-2020 Heard learned counsel for the petitioner and the
respondents.

The petitioner prays for quashing the order dated
14.07.2017 passed by the District Magistrate, Sitamarhi in
Confiscation Case No. 18/2016 whereby articles i.e., shop and
home has been confiscated and further direction to the respondents
to release the vehicle seized in connection with Bathnaha P.S. Case
No. 63/2016 for the offences punishable under Sections 47(A),
53(C) of the Bihar Excise 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)

Ranjeet/-

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