

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10393 of 2018

In
Criminal Writ Jurisdiction Case No.563 of 2018

=====

Prema Devi Wife of Manoj Sada Resident of Village- Surha Bhatta, Post
Office- Sahsoul, Police Station- Basnahi, District- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar through Excise Commissioner, Bihar, Patna.
2. The Collector-Cum-District-Magistrate, Madhepura.
3. The Superintendent of Police, Madhepura.
4. The Superintendent of Excise, Madhepura.
5. The State House Officer, Udakishunganj, Police Station, District-
Madhepura.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Manoj Kumar
For the Respondent/s : Mr. Vivek Prasad- GP-7

=====

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 setting aside the order dated
15.12.2017 passed by the District Magistrate, Madhepura, in
Confiscation (Excise Act) Case No. 74 of 2017 whereby
vehicle, namely, Hero Glamour Motorcycle bearing Registration
No. BR-19 L-1159 has been confiscated and further direction to
the respondents to release the vehicle seized in connection with
Udakishunganj P.S. Case No. 166 of 2017 for the offences



punishable under Section 30(a), 37(b) 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)

mdrashid/-

U			
---	--	--	--

