

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10489 of 2018

In
Criminal Writ Jurisdiction Case No.474 of 2018

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Ram Ishwar Sharma S/o Nagina Sharma R/o Village- Kurthaul., P.O. Parsa
P.S. Phulwari. District Patna, at Present residing Mohalla Bagmali, P.S.
Hajipur Town, District Vaishali.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrare-cum-Collector, Muzaffarpur
3. The Superitendent of Police, Muzaffarpur
4. The Superitendent of Excise, Muzaffarpur
5. The S.H.O., Saraiya Police Station, District- Muzaffarpur
6. The Investigation Officer of Saraiya P.S.-Case no. 132/17, District-
Muzaffarpur

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar, Adv.
For the Respondent/s : Mr.Kumar Manish -Sc5

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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 setting aside the order dated
25.9.2017 passed by the District Magistrate, Muzaffarpur, in
Confiscation Case No.65 of 2017-18 whereby vehicle of the
petitioner, bearing Registration No. BR-01PE-9088 has been
confiscated and further direction to the respondents to release



the vehicle seized in connection with Saraiya P.S. Case No. 132 of 2017 for the offences punishable under Sections 272, 273 of I.P.C. of I.P.C. and 30(a), 37, 38, 41 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)

K.C.Jha/-

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