

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9923 of 2018

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Chhathu Sah son of Palatu Sah, resident of Village- Phulwariya, Police
Station- Manjhagarh, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Excise Department, Govt. of Bihar, Patna.
3. The District Magistrate-cum- Collector, Gopalganj.
4. The Superintendent of Police, Gopalganj.
5. The Officer-in- Charge S.H.O., Manjhagarh Police Station, Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh
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)

3 21-01-2020 Heard learned counsel for the petitioner and the
respondents.

The petitioner prays for setting aside the order dated
6.2.2018 passed by the District Magistrate, Gopalganj, in
Confiscation (Excise) Case No. 403 of 2017 whereby residential



house of the petitioner has been confiscated and further direction to the respondents to release the vehicle/house seized in connection with Manjhagarh P.S. Case No. 141 of 2017 for the offences punishable under Sections 420, 272, 273/34 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)

Ravi/-

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