

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.13086 of 2018**

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Adarsh Kumar @ Balwa S/o Sudhir Roy R/o Village- Makandpur, P.S.  
Akbaragar, District- Bhagalpur

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Principal Secretary, Registration Excise and Prohibition Department,  
Government of Bihar, Patna
3. The District Magistrare cum collector, Bhagalpur, District- Bhagalpur.
4. The Superintendent of Excise, Bhagalpur, District- Bhagalpur

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Swapnil Kumar Singh, Adv.  
For the Respondent/s : Mr.Anil Kumar Sinha - Ga-1

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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 20.04.2018 passed by the District Magistrate,  
Bhagalpur, in Confiscation Case No.187/16-17 whereby the  
house and grocery shop as well as land of the petitioner  
appertaining to Khata No.57, Khesra No.169, Rakba 0-22  
decimals has been confiscated and further direction to the  
respondents to hand over possession of the land, confiscated  
in connection with Akbaragar P.S. Case No. 135 of 2016



for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner invites our attention to the order dated 18<sup>th</sup> 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 18<sup>th</sup> 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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