

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.73 of 2019

Arising Out of PS. Case No.-176 Year-2018 Thana- WARISNAGAR District- Samastipur

Ratnesh Kumar Mahto Rajendra Mahto Resident of village-Purnahi, Police
Station-Warasnagar District-Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar Through The Principal Secretary, Excise Department,
Government of Bihar, Patna
2. The Excise commissioner, Government of Bihar, Patna Bihar
3. The District Magistrate, Samastipur Bihar
4. The Senior Superintendent of Police, Samastipur Bihar
5. The Excise Superintendent, Samastipur Bihar
6. The Station House Officer, Warasnagar Police Station, District-Samastipur
Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad

For the Respondent/s : Mr.Vikash Kumar Sc 11

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 01-04-2019 This application under Article 226 and 227 of the

Constitution of India has been filed by the petitioner for a

direction to release the motorcycles bearing Registration No.

BR-33Y-8908 and Registration No. BR-33AA-5494, which

have been seized in connection with Warasnagar P.S. Case No.

176 of 2018 registered under Sections 273, 290 of the Indian

Penal Code and 38, 41, 30(a), 37(B) and 37(D) of Bihar

Prohibition and Excise Act, 2016.

Realizing that confiscation is a civil proceeding,

learned counsel appearing for the petitioner sought leave to



withdraw the present application with liberty to file a civil writ application before this Court for release of the motorcycles.

In view of the submission made above, the application is disposed of with the liberty aforesaid.

(Ashwani Kumar Singh, J)

pradeep/sneha

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