

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Writ Jurisdiction Case No.3317 of 2018**

Arising Out of PS. Case No.-45 Year-2018 Thana- BALUA BAZAR District- Supaul

Gopal Poddar S/o Sadanand Poddar Resident of village - Ward no. 8,  
Anchraand Hunuman Nagar, P.s. Narpatganj, Distt. Araria.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department Of Excise and Prohibition, Govt. Of Bihar, Patna
2. The Director General of Police, Bihar, Patna.
3. The District Magistrate, Supaul.
4. the Superintendent of Police, Supaul.
5. The Deputy Superintendent of Police, Supaul.
6. The Station House Officer, Balua Bazar Laltigram O.P., Distt.-Supaul.

... .. Respondents

**Appearance :**

For the Petitioner : Mr.Nafisuzzoha, Advocate  
For the Respondent : Mr.Kumar Manish SC-5

**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH**  
**ORAL ORDER**

2      16-07-2019                      This writ petition under Article 226 of the Constitution of India has been filed by the petitioner for release of Hero HF Deluxe motorcycle bearing Registration No. BR-39 W-1401, which has been illegally seized in connection with Balua Bazar (Lalitgram O.P.) P. S. Case No. 45 of 2018 registered under Sections 279/337/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

Realizing that the confiscation is a civil proceeding, learned counsel for the petitioner seeks leave to withdraw the present writ petition with liberty to the petitioner



to file a civil writ application for the release of Hero HF Deluxe motorcycle bearing Registration No. BR-39 W-1401 seized in connection with Balua Bazar (Lalitgram O.P.) P. S. Case No. 45 of 2018.

Leave is granted.

The writ petition is disposed of.

**(Ashwani Kumar Singh, J)**

kanchan/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

