

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.374 of 2019

Arising Out of PS. Case No.-406 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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Azharuddin S/o Md. Shamim, resident of Village- Barsara, P.S.- Karanda,
District- Ghazipur (U.P.)

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Home Department, Govt. of Bihar, Patna
2. The District Magistrate, Gaya
3. The Superintendent of Police, Gaya,
4. The Superintendent of Excise Prohibition, District- Gaya
5. The Investigation Officer Excise Prohibition, Gaya
6. The Sub-Inspector Excise Prohibition, Gaya

... .. Respondents

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Appearance :

For the Petitioner : Mr.Syed Asgher Najmi, Advocate
For the Respondent-State: Mr.Vivek Prasad, GP-7

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 08-07-2019 This writ petition under Article 226 of the Constitution of India has been filed by the petitioner for directing and commanding the respondent authorities to release the vehicle Tata Pickup Van (Goods Carrier) bearing Registration No.UP65CT/8803, which has been illegally seized in connection with Excise Case No. 406 of 2018 under Sections 2(e), 3, 5 and 13 of Bihar Mahua Supplementary Rules and Section 56(b) of the Bihar Prohibition & Excise (Amendment) Act, 2018.

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 Tata Pickup Van (Goods Carrier) bearing Registration No.UP65CT/8803 seized in connection with Excise Case No. 406 of 2018.

Leave is granted.

The writ petition is disposed of.

(Ashwani Kumar Singh, J)

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