

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.2781 of 2018

Arising Out of PS. Case No.-89 Year-2018 Thana- NASRIGANJ District- Rohtas

Kamlesh Singh son of Late Chaturi Singh, Resident of Village- Lala Atmi,
P.S.- Nasriganj, District- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise Bihar Patna
2. The Director General of Police, Bihar, Patna.
3. The Inspector General of Police, Shahabad Range, Dehri-On-Sone.
4. The District Magistrate, Rohtas.
5. The Senior Superintendent of Police, Rohtas.
6. The Circle Officer-cum-Executive Magistrate, Sasaram.
7. The Police Inspector-cum-Incharge of Nasriganj Police Station, Police Station- Nasriganj, District-
8. The Investigating Officer-cum-Sub-Inspector of Police, Nasriganj, Police Station, District- Rohtas.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Surendra Kumar Mishra, Advocate
	:	Mr. Arun Kumar Singh, Advocate
For the State	:	Ms. Prachi Pallavi, AC to AG

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 02-07-2019 This application has been listed under the heading "To Be Mentioned" at the instance of the petitioner.

Learned counsel for the petitioner submitted that since the house of the petitioner has been sealed under Section 62 of the Bihar Prohibition and Excise Act, 2016, the petitioner ought to have filed a civil writ petition instead of a criminal writ petition as a proceeding for confiscation of any property is a civil proceeding. He submitted that he may be permitted to



withdraw the instant application with liberty to the petitioner to
file a civil writ petition in the same subject matter.

Learned counsel for the State does not oppose the
prayer made by the petitioner.

Leave is granted.

The application is disposed of.

(Ashwani Kumar Singh, J)

Md. S/-

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