

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.3136 of 2018

Arising Out of PS. Case No.-281 Year-2018 Thana- KOTWALI District- Patna

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Suman, W/o Rajeev Ray @ Chhotu, R/o Adalatganj, Jhoparpatti, P.S.-
Kotwali, District- Patna, at present 72, Block- C4 Nangli Vihar Extn Baprola,
Nalagarh, South West Delhi, P.S.- Najafgarh, Delhi- 110043.

... .. Petitioner

Versus

1. State of Bihar through Secretary, Department of Excise, Bihar, Patna.
2. Secretary, Department of Excise, Bihar, Patna.
3. The District Magistrate cum Collector, Patna.
4. The S.H.O., Kotwali P.S., Patna.

... .. Respondents

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Appearance :

For the Petitioner : Mr. Amresh Kumar Sinha, Advocate
For the Respondents-State: Mr. Anil Kumar Sinha, GA-1

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 03-07-2019 This application under Articles 226 and 227 of the Constitution of India has been filed by the petitioner for directing and commanding the respondent authorities to release the Maruti Dezire car bearing Registration No. BR-01CE-2083, Engine No.D13A2439831, which has been seized in connection with Kotwali P.S. Case No.281 of 2018 registered under Sections 30(a), 38(1)(2), 44(1), 56(D)(E), 37(b) of the Bihar Prohibition and 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 Maruti Dezire



car, bearing Registration No. BR-01CE-2083 seized in connection with Kotwali P.S. Case No. 281of 2018.

Leave is granted.

The writ petition is disposed of.

(Ashwani Kumar Singh, J.)

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