

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.2957 of 2018

Arising Out of PS. Case No.-328 Year-2018 Thana- MAIRWAN District- Siwan

Roshan Raja Ali @ Md. Roshan Raja Ali, Son of Mehbub Ali @ Md. Mahboob Ali, Resident of Village- Singhi, P.O. Hussainganj, P.S. Andar, District-Siwan

... .. Petitioner

Versus

1. The State of Bihar, through the Principal Secretary, Department of Excise, Govt. of Bihar, Patna
2. The District Magistrate, Siwan
3. The Superintendent of Police, Siwan
4. The S.H.O. Mairwa, Police Station, District-Siwan

... .. Respondents

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate
For the Respondent/s : Mr. Anil Kumar Sinha, GA-1

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 08-04-2019 This application under Article 226 of the Constitution of India has been filed by the petitioner for directing and commanding the respondent authorities to release the Bajaj Pulsar 150 motorcycle bearing Registration No. BR-29V-9753 Engine No. DHZWFI02609 which has illegally been seized in connection with Mairwa P.S. Case No. 328 of 2018 under Sections 272, 273/34 of the Indian Penal Code, Sections 30(a), 38(1) and 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 Bajaj Pulsar motorcycle bearing Registration No. BR-29V-9753 seized in connection with Mairwa P.S. Case No. 328 of 2018.

Leave is granted.

The writ petition is disposed of.

(Ashwani Kumar Singh, J.)

Sanjeet/R.Ranjan-

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