

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.3409 of 2018

Arising Out of PS. Case No.-131 Year-2017 Thana- HARLAKHI District- Madhubani

Md. Auved Aslam @ Mohammed Auved Sheikh, S/o- Md. Aalam, Resident of GNM. 852180 Navrang Compound, P.S.- Dharavi, Mumbai, at present resident of Village - Malidvan Nassa, P.S.- Jalley, District- Darbhanga

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise and Prohibition Act, Government of Bihar, Patna.
2. The District Magistrate, Madhubani
3. The Superintendent of Police, Madhubani
4. The Officer-in Charge, Harlakhi, District- Madhubani

... .. Respondents

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate
For the Respondent/s : Mr. Vikash Kumar, SC-11

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 Mahindra Scorpio vehicle bearing Registration No. MH-04BS-4158, which has illegally been seized in connection with Harlakhi P.S. Case No. 131 of 2017 under Sections 272, 273 of the Indian Penal Code and Section 30(a) 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 Mahindra
Scorpio vehicle bearing Registration No. MH-04BS-4158 seized
in connection with Harlakhi P.S. Case No. 131 of 2017.

Leave is granted.

The writ petition is disposed of.

(Ashwani Kumar Singh, J.)

Sanjeet/R.Ranjan

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