

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Writ Jurisdiction Case No.778 of 2019**

Arising Out of PS. Case No.-621 Year-2017 Thana- MOTIHARI MUFASIL District- East  
Champaran

=====

Vidyanand Mukhiya, S/o Yogi Mukhiya, resident of Village-Hasuaha, P.S.-  
Mufassil, District-Rohtas.

... .. Petitioner

Versus

1. The State of Bihar through the District Magistrate, East Champaran, Motihari.
2. The Senior Superintendent of Police, East Champaran, Motihari.
3. The Officer-in-Charge, Mufassil Police Station, District-Est Champaran.
4. The State of Bihar through Principal Secretary, Excise Department, Government of Bihar, Patna.

... .. Respondents

=====

**Appearance :**

For the Petitioner/s : Mr. Ashutosh Kumar, Advocate  
For the Respondent/s : Mr. Vivek Prasad, GP-7

=====

**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH**  
**ORAL ORDER**

2      06-05-2019                      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 Hero F.F. Deluxe motorcycle bearing Registration No. BR-05W-139, which has illegally been seized in connection with Mufassil P.S. Case No.621 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 the Hero F.F. Deluxe



motorcycle bearing Registration No. BR-05W-139 seized in  
connection with Mufassil P.S. Case No. 621 of 2017.

Leave is granted.

The writ petition is disposed of.

**(Ashwani Kumar Singh, J.)**

Sanjeet/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

