

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.840 of 2019

Arising Out of PS. Case No.-291 Year-2018 Thana- MUSAHARI District- Muzaffarpur

Mukul Kumar aged about 22 years male Son of Late Shambhu Ray Resident
of Village - Jitwariya, P.S.- Kalayanpur, Dist.- Samastipur.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary Excise Deptt. Govt. Of Bihar, Patna
2. The District Magistrate cum Collector, Muzaffarpur.
3. The Senior Superintendent of Police, Muzaffarpur.
4. The District Transport officer, Muzaffarpur
5. The Officer in charge Musahari P.S.- Musahari, Dist.- Muzaffarpur. Bihar

... .. Respondents

Appearance :

For the Petitioner : Mr.Abhay Kumar Jha, Advocate
For the Respondents : Mr.Kumar Manish, SC-5

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 13-05-2019 This writ petition under Article 226 of the Constitution of India has been filed by the petitioner for release of vehicle Maruti Swift VXi bearing Engine No. K12MN 7335205, Chasis No. MBHCZC63SJJ260294, which has been seized in connection with Confiscation Case No. 25 of 2019-20 arising out of Musahari P. S. Case no. 291 of 2018 registered under Sections 272/273/34 of the Indian Penal Code and Sections 30(a) and 37(c) of the Bihar Prohibition & Excise Act, 2016.

Having realized that confiscation proceeding before the officer authorized in law is a civil proceeding and in respect



of vehicle for which a confiscation proceeding has been initiated
a criminal writ petition would not lie, learned counsel
appearing for the petitioner seeks leave to withdraw the present
writ petition.

Leave is granted.

The writ petition is disposed of.

(Ashwani Kumar Singh, J)

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