

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1021 of 2019

Arising Out of PS. Case No.-101 Year-2019 Thana- MAHARAJGANJ District- Siwan

Sumeshwar Tiwari, Son of Shankar Tiwari, Resident of Village-Mahuari, P.S.-
Maharajganj, District- Siwan.

... .. Petitioner

Versus

1. The State of Bihar through Principal Secretary, Department of Excise, Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The District Magistrate, Siwan.
4. The Superintendent of Police, Gopalganj.
5. The S.H.O., Maharajganj Police Station, Siwan.

... .. Respondents

Appearance :

For the Petitioner : Mr. Raghav Prasad, Advocate
For the Respondents-State: Mr. Vivek Prasad, GP-7

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 02-07-2019 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 Splendor Motorcycle bearing Registration No. BR-29AD-2890 which has been seized in connection with Maharajganj P.S. Case No.101 of 2019 under Sections 272, 283, 308 of the Indian Penal Code and section 41(1) 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 Hero Splendor
Motorcycle bearing Registration No. BR-29AD-2890 seized in
connection with Maharajganj P.S. Case No. 101 of 2019.

Leave is granted.

The writ petition is disposed of.

(Ashwani Kumar Singh, J.)

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