

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13700 of 2019

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Sonu Kumar Son of Ghuram Paswan, R/o Village- Sisho Maldahiya, P.O.-
Siswa, P.S.- Paharpur, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Prohibition and Excise, Govt. of Bihar, Patna.
2. The Collector-cum-District Magistrate-, Sitamarhi.
3. The Superintendent of Excise, Sitamarhi.
4. The Sub- Inspector, Excise, Circle, Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha
For the Respondent/s : AC to Mr.Manish Kumar (GP4)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
and
HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH)

4 03-12-2019 Heard Mr. Ashok Kumar Jha, learned Counsel for the

petitioner and learned Assistant Counsel to Government Pleader

No. 4 appearing on behalf of the respondents.

This writ application has been filed for quashing of
the order, dated 27.02.2018, passed by the Collector, Sitamarhi,
in Confiscation Case No. 12 of 2018, whereby the Hero Honda
Splendor motorcycle of the petitioner, bearing Registration No.
BR05W-1679, Chassis No. MBLHAR070HHD14099 and
Engine No. HA10AGHHD15218, seized in connection with
Complaint Case No. C 02-619 of 2017, registered under Section



30 (a) of the Bihar Prohibition and Excise Act, 2016, has been confiscated.

After some argument, learned Counsel for the petitioner seeks permission to withdraw this application to prefer statutory appeal under Section 92 (2) of the Act against the order passed by the Collector, Sitamarhi.

This application is disposed of as withdrawn with liberty to the petitioner to prefer the statutory appeal along with the limitation application for condonation of delay. If such an appeal is filed, the appellate authority shall consider the same sympathetically in view of the fact that the writ petition filed by the petitioner was pending before this Court.

The petitioner will be at liberty to agitate all the issues before the appellate forum.

(Dinesh Kumar Singh, J.)

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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