

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1271 of 2019

Arising Out of PS. Case No.-93 Year-2019 Thana- KHAGARIA District- Khagaria

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Sima Devi, Wife of Mithlesh Kumar @ Mithilesh Kumar, Resident of Village-
and P.O. and P.S.- Pasraha, District-Khagaria

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Registration, Excise and Prohibition, Government of Bihar, Patna.
2. The Excise Commissioner, Bihar, Patna.
3. The District Collector cum District Magistrate, Khagaria.
4. The State of Bihar through the Director General of Police, Bihar, Patna.
5. The Superintendent of Police, Khagaria.
6. The Officer-in-Charge of Gangour (Khagaria) P.S. Khagaria

... .. Respondents

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Appearance :

For the Petitioner : Mr. Mrityunjay Kumar, Advocate
For the Respondents-State: Mr. Kumar Manish, SC-5

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 03-09-2019 This application under Articles 226 and 227 of the Constitution of India has been filed by the petitioner for directing and commanding the respondent authorities to release the Tempo bearing Registration No. BR-34P-4599, which has illegally been seized in connection with Khagaria (Gangour) P.S. Case No.93 of 2019 registered under Sections 272, 273 of the Indian Penal Code and 30(a) of the Bihar Prohibition and Excise Act, 2018.

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 Tempo bearing Registration No. BR-34P-4599 seized in connection with Khagaria (Gangour) P.S. Case No. 93 of 2019.

Leave is granted.

The writ petition is disposed of.

(Ashwani Kumar Singh, J.)

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