

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.3350 of 2018

Arising Out of PS. Case No.-276 Year-2018 Thana- RAJGIR District- Nalanda

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Suraj Kumar Son of Ram Ratan Praad @ Ramjatan Prasad Resident of
Mohalla-Nichli Bazar, Police Station Rajgir, Distt.-Nalanda Bihar

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Excise Department Govt. Of Bihar, Patna
2. The District Magistrate, Nalanda
3. The Superintendent of Police Excise, Nalanda
4. The Superintendent of Police, Nalanda
5. The Deputy Secretary of Police, Nalanda
6. S.H.O. Cum Inspector Rajgir Distt.-Nalanda

... .. Respondents

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Appearance :

For the Petitioner : Mr. Sudish Kumar, Advocate

For the Respondent-State: Mr. Kumar Manish SC-5

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 16-07-2019 This writ petition under Article 226 of the Constitution of India has been filed by the petitioner for quashing the order dated 08.10.2018 passed by the learned 6th Additional Sessions Judge-cum-Special Judge (Excise) Nalanda Bihar Sharif by which he has rejected the prayer of the petitioner to release his motorcycle bearing Registration No. BR 21T 7666 seized in connection with Rajgir P.S. Case No.276 of 2018 under Sections 37(b) and 37(c) of the Bihar Prohibition & Excise (Amendment) Act, 2016 in view of the fact that in respect of the vehicle in question, a confiscation proceeding is



pending.

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 against the impugned order.

Leave is granted.

The writ petition is disposed of.

(Ashwani Kumar Singh, J)

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