

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.3107 of 2018

Arising Out of PS. Case No.-194 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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Shailendra Kumar, Son of Hiralal Ray, Resident of Village-Bela, P.O.-Bela
Chamahi, P.S.-Chhauradano, Distt-East Champaran

... .. Petitioner

Versus

1. The Union of India
2. The State of Bihar through Principal Secretary, Department of Excise,
Government of Bihar, Patna
3. The District Magistrate, East Champaran
4. The State Excise, Motihari, East Champaran

... .. Respondents

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Appearance :

For the Petitioner	:	Mr. Prem Sheela Pandey, Advocate
		Mr. Kundan Kumar @ Kundan Rathore, Advocate
For the Respondents-State:		Mr. Vivek Prasad, GP-7
For the Union of India	:	Mr. Rakesh Kumar Sinha, CGC

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 31-07-2019 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 Glamour motorcycle bearing Registration No. BR-05T-6738 which has been seized in connection with Excise Case No.194 of 2018 instituted under Sections 30(a) 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 Glamour motorcycle bearing Registration No. BR-05T-6738 seized in connection with Excise Case No. 194 of 2018.

Leave is granted.

The writ petition is disposed of.

(Ashwani Kumar Singh, J.)

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