

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.2866 of 2018

Arising Out of PS. Case No.-286 Year-2018 Thana- GOGRI District- Khagaria

Shishu Kumar, Son of Baleshwar Mandal @ Baleshwar Prasad Mandal,
Resident of Village-Near 03 No. Gumati, Munger, P.S.-Kotwali, Distt.-
Munger

... .. Petitioner

Versus

1. The State of Bihar through the District Magistrate, Khagaria, District-Khagaria.
2. The Superintendent of Police, Khagaria, Distt.-Khagaria
3. The Sub-Divisional Officer, Gogari, P.S.-Gogari, Distt.-Khagaria
4. The Excise Superintendent ,Khagaria, Distt.-Khagaria
5. The Inspector of Police-cum-S.H.O. Gogari, P.S.-Gogari, Distt.-Khagaria
6. Sri Satish Kumar, Son of not known, Sub Inspector of Police, Gogari Police Station, Distt.-Khagaria and the informant of Gogari P.S. Case No.286 of 2018 dated 23.08.2018.
7. Sri Ranjan Kumar Jha, Son of not Known, Sub Inspector of Police, Gogari Police Station, Distt.-Khagaria and the Investigating Officer of Gogari P.S. Case No.286 of 2018 dated 23.08.2018

... .. Respondents

Appearance :

For the Petitioner : Mr. Bhim Kumar Yadav, Advocate
For the Respondents-State: Mr. Vikash Kumar, SC-11

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 29-07-2019 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 Tata Sumo Gold vehicle bearing Registration No. BR-08-1175, which has been seized in connection with Gogari P.S. Case No.286 of 2018 registered under Section 414 of the Indian Penal Code and Sections 30(a) and 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 Tata Sumo Gold vehicle bearing Registration No.BR-08-1175 seized in connection with Gogari P.S. Case No. 286 of 2018.

Leave is granted.

The writ petition is disposed of.

(Ashwani Kumar Singh, J.)

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