

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.2979 of 2018

Arising Out of PS. Case No.-376 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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Gauri Shankar Ray @ Gauri Kumar Rai Son of Shri Ganesh Ray @ Ganesh Rai, Resident of Village- Panchtaki Ram, Police Station- Bairgania, District- Sitamarhi, at present 77 A Floor, Dainik Shivheri, Bhata Bazar, P.S.- Barli, Mumbai.

... .. Petitioner/s

Versus

1. The State Of Bihar Through The Principal Secretary, Registration, Excise And Prohibition Department
2. The Principal Secretary, Registration, Excise and Prohibition Department, Government of Bihar, Patn
3. The Collector-cum-District Magistrate, Sitamarhi.
4. The Superintendent of Excise, Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh
For the Respondent/s : Mr.Vivek Prasad Gp-7

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 01-04-2019 The instant application under Articles 226 and 227 of the Constitution of India has been filed by the petitioner for a direction to the respondents to release the vehicle of the petitioner bearing Registration No. BR 30Q-6998, which has been seized in connection with Complaint Case No. C-2/376 of 2018 dated 18.07.2018 registered under Sections 30(A) of Bihar Prohibition And Excise Act, 2016.

At the outset, learned counsel for the petitioner submitted that this application has wrongly been filed as criminal writ petition. He contended that since confiscation is a



civil proceeding, he may be permitted to withdraw the present application with liberty to file civil writ application in the same subject matter.

Leave is granted. The application is disposed of.

(Ashwani Kumar Singh, J)

pradeep/sneha

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