

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.3211 of 2018

Arising Out of PS. Case No.-247 Year-2018 Thana- PIRO District- Bhojpur

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Dharmatma Upadhyay, S/o Late Hari Mohan Upadhyay, Resident of Village-
Piro, P.S.-Piro, Distt.-Bhojpur

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise and Prohibition, Government of Bihar, Patna.
2. The District Magistrate, Bhojpur, Bihar.
3. The Superintendent of Police, Bhojpur, Bihar.
4. The S.H.O. Piro Police Station, Distt.-Bhojpur

... .. Respondents

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Appearance :

For the Petitioner : Mr. Sangeet Deokuliar, Advocate
For the Respondents-State: Mr. Vivek Prasad, GP-7

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 26-06-2019 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 motorcycle bearing Registration No. BR-03V-7484, Engine No.HA10ACHHF71073, which has illegally been seized in connection with Excise Case No.1178 of 2018 arising out of Piro P.S. Case No.247 of 2018 under Section 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 motorcycle bearing Registration No.BR-03V-7484 seized in connection with Excise Case No.1178 of 2018 arising out of Piro P.S. Case No. 247 of 2018.

Leave is granted.

The writ petition is disposed of.

(Ashwani Kumar Singh, J.)

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