

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Writ Jurisdiction Case No.3418 of 2018**

Arising Out of PS. Case No.-2 Year-2017 Thana- RISIYAP District- Aurangabad

Binod Mehta, Son of Vishun Dev Mehta, Resident of Village- Dudhar, P.S.-  
Risiup, District- Aurangabad, (BIHAR).

... .. Petitioner

Versus

1. The State of Bihar, through the Secretary Department of Excise Government of Bihar, Patna
2. The District Magistrate, Aurangabad.
3. The Superintendent of Police, Aurangabad.
4. The Officer-In- Charge, Risiup, Police Station, District- Aurangabad.

... .. Respondents

**Appearance :**

For the Petitioner : Mrs. Leelawati Kumari, Advocate  
For the Respondents : Mr. Kumar Manish, SC-5

**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH**  
**ORAL ORDER**

2      08-04-2019                      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 Autoricksaw bearing Registration No. BR-26C-2290, which has illegally been seized in connection with Risiup P.S. Case No. 02 of 2017 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 Autoricksaw



bearing Registration No. BR26C-2290 seized in connection with  
Risiup P.S. Case No. 02 of 2017.

Leave is granted.

The writ petition is disposed of.

**(Ashwani Kumar Singh, J.)**

Sanjeet/R.Ranjan-

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