

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Writ Jurisdiction Case No.3424 of 2018**

Arising Out of PS. Case No.-173 Year-2017 Thana- TURKAULIYA District- East  
Champaran

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Bhushan Kumar, son of Ramanandan Prasad, Resident of village-Semara  
Bhola, P.S.- Vanjariya, District- East Champaran.

... .. Petitioner

Versus

1. The State of Bihar, Principal Secretary, Excise Department, Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The Collector, East Champaran, Motihari.
4. The Senior Superintendent of Police, East-Champaran, Motihari.
5. The Officer-in-charge of Turkauliya (Banjariya) P.S., District-East-Champaran.
6. Investigating Officer, Turkauliya (Banjariya) P.S. Case No. 173/17, Turkauliya (Banjariya) P.S., District-East Champaran.

... .. Respondents

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**Appearance :**

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

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

2      14-08-2019                      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 Bikram Auto Rickshaw 450D bearing Registration No. BR-05PA-1707, which has been seized in connection with Turkauliya (Banjariya) P.S. Case No.173 of 2017 registered under Sections 30(a) and 38 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 Bikram Auto Rickshaw bearing Registration No. BR-05PA-1707 seized in connection with Turkauliya (Banjariya) P.S. Case No. 173 of 2017.

Leave is granted.

The writ petition is disposed of.

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

Sanjeet/-

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