IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.2842 of 2018

Arising Out of PS. Case No.-206 Year-2018 Thana- KORHA District- Katihar

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Manoj Kumar, Son of Sri Sukhdev Gupta, Resident of Mohalla-Subhash Nagar, P.S.-K. Hat, District- Purnea.

... ... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Excise and Prohibition, Government of Bihar, Patna.
2. The District Magistrate-cum-Collector, Katihar.
3. The Superintendent of Police, Katihar.
4. The Officer-in-Charge of Korha, Police Station, Katihar.

... ... Respondents

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Appearance :
For the Petitioner : Mr. Amit Kumar Anand, Advocate
For the Respondents-State: Mr. Anil Kumar Sinha, GA-1

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

3 27-08-2019 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 Tata Magic Van bearing Registration No. BR-11L-2565 which has illegally been seized in connection with Korha P.S. Case No.206 of 2018 registered under Sections 272, 273 read with 34 of the Indian Penal Code and 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

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to file a civil writ application for the release of Tata Magic Van bearing Registration No. BR-11L-2565 seized in connection with Korha P.S. Case No. 206 of 2018.

Leave is granted.

The writ petition is disposed of.

(Ashwani Kumar Singh, J.)

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