

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1496 of 2023

Arising Out of PS. Case No.-149 Year-2021 Thana- BARHARIA District- Siwan

Dileep Mahto, S/o Late Jhameli Mahto Resident Of Biruachak, Ps. Mehendi Ganj, Dist. Patna

... .. Petitioner

Versus

1. The State Of Bihar Through The Chief Secretary, Bihar, Patna Bihar,
2. The District Magistrate, Gopalganj Bihar,
3. The Certificate, Officer Collectorate, Gopalganj Bihar,
4. The Superintendent Of Police, Gopalganj Bihar,
5. The Superintendent Of Police, Siwan Bihar,
6. The Sho, Barharia, Siwan Bihar,
7. The Sho, Uchkagaon, Gopalganj Bihar,
8. Shyam Shankar Pd. Singh Son Of Late Rameshwar Pd. Singh R/O - Tatariyakhurd, P.S.- Barachhati, District- Gaya.

... .. Respondents

Appearance :

For the Petitioner	:	Mr. Amaresh Kumar, Advocate
For the Respondents	:	Mr. Manish Kumar,

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

7 15-05-2026 The present Criminal Writ Petition has been preferred by the Petitioner for release of a vehicle seized in Unchkagaon P.S. Case No. 181 of 2021, registered for the offence punishable under Sections 414, 413, 34 of the Indian Penal Code and Sections 30(a), 48, 52 of the Bihar Prohibition and Excise Act.

2. Learned counsel for the Petitioner submits that he should have filed Civil Writ Petition because remedy for release of vehicle seized under Excise Act, is available by way of Civil Writ Jurisdiction Case, which is heard by the Division Bench of



this Court.

3. Hence, he is seeking permission to convert the present writ petition into a Civil Writ Jurisdiction Case.

4. Permission is granted.

5. The Petitioner is given two weeks' time to get it converted into a Civil Writ.

6. After conversion, office is directed to list this matter before appropriate Bench with approval of Hon'ble the Chief Justice.

(Jitendra Kumar, J.)

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