

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9808 of 2023

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Shailesh Chaudhary S/o Late Madya Chaudhar @ Madho Chaudhary, Village-
Kalindi Basti, Bhalubasa, Sakchi Bistupur, District-Purbi Singhbhum,
Jharkhand.

... .. Petitioner/s

Versus

1. The State of Bihar through the Excise Commissioner, Excise Department,
Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The Collector cum District Magistrate, Gaya.
4. The Superintendent of Police, Gaya.
5. The Station Head Officer, Atri Police Station, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar

For the Respondent/s : Mr. Kumar Manish (SC- 5)

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

and

HONOURABLE MR. JUSTICE JITENDRA KUMAR

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

2 28-07-2023 In the instant petition, petitioner has prayed for the
following relief :

“ (i) issuance of an appropriate writ, order,
direction directing the concerned



respondents namely the Excise Commissioner, Bihar to issue necessary orders enabling the petitioner to procure / purchase extra neutral alcohol (ENA) for manufacture of Homeopathic Medicines which is a basic and essential raw material for manufacture of Homeopathic Medicines.

(ii) Pass such other order(s) as Your Lordship may deem fit and proper in the facts and circumstances of the present case.”

2. The aforementioned relief is premature for the reasons that the petitioner without exhausting the remedy of approaching the concerned authority under the relevant provisions of Law has approached this Court.

3. Accordingly, the present petition stands disposed of.

3. Disposal of the present petition would not be a hurdle for the petitioner to approach the concerned authority in making application/representation for release of vehicle under the relevant provision of law.

4. If such an application is submitted, the competent authority is hereby directed to decide the petitioner's



application within a reasonable period of one week from the date of receipt of petitioner’s application.

5. In the alternative, the confiscating authority is requested to decide the confiscation proceedings at the earliest.

(P. B. Bajanthri, J)

(Jitendra Kumar, J)

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