

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9801 of 2023

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M/s Mattei Electro Homoeo Industries a proprietorship concern having its registered office at Industrial Ares Bikramganj, Plot No.- B4 and B5, P.S.- Bikramganj, District- Rohtas through its proprietor Ashok Kumar Singh, Male, aged about 55 years, son of Late Daya Shankar Singh, resident of Village- Dhangain, P.S.- Bikramganj, District- Rohtas- 802212.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Registration Excise and Prohibition Department, Government of Bihar, Patna.
2. The Commissioner of Excise, Bihar, Patna.
3. The Collector, Rohtas.
4. The Assistant Commissioner of Excise, Rohtas.
5. State Drugs Controller (Ayush) cum State Licensing Authority, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Satyabir Bharti
For the Respondent/s	:	Mr. Vivek Prasad (GP- 7)
		Ms. Supragya, AC to GP-7

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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) For issuance of an appropriate writ or order or direction in the nature of Mandamus or any appropriate writ, order or direction to direct the respondent authorities to release the seized vehicle “Truck” bearing Registration No. NL-01N-5079, in



favour of the owner/petitioner who is the owner of the seized vehicle and the same has been seized in connection with Atri (Gaya) P. S. Case No. 155 of 2023, for the offence alleged under Section 30(a) of the Bihar Prohibition and Excise Act and under Section 37 of the Bihar Prohibition and Excise (Amendment) Act, 2022, pending for trial in the Court of Special Judge, Excise Act at Gaya.

(ii) For grant of any other relief or reliefs to which the petitioner is found entitled to in the facts and circumstances of the case.”

2. In support of the aforementioned relief, the petitioner has submitted representation to the Excise Commissioner on 11.04.2023.

3. The Excise Commissioner-Respondent is hereby directed to pass a detailed speaking order as to whether the petitioner is entitled to the relief sought or not? If the petitioner is entitled, the same shall be arranged for procurement of Extra Neutral Alcohol. If the petitioner is otherwise not eligible, in such an event the Excise Commissioner is hereby directed to



pass a detailed speaking order as to why the petitioner is not entitled to procure Extra Neutral Alcohol.

3. The above exercise shall be undertaken within a period of two months from the date of receipt of this Order.

4. With the aforesaid observation / direction, the present writ petition stands disposed of.

(P. B. Bajanthri, J)

(Jitendra Kumar, J)

skm/chandan/-

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