

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.11651 of 2025**

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Arvind Kumar Singh Son of Late Ram Bhajan Singh, Resident of 12,  
Kadamkuan, Nala Road, Anant Saw Ki Thakurbari, P.S.- Kadamkuan,  
District- Patna- 800003.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Department of Registration, Excise and Prohibition, Bihar, Patna.
2. The Commissioner, Department of Registration, Excise and Prohibition, Government of Bihar, Patna.
3. The Assistant Commissioner, Department of Registration, Excise and Prohibition, Government of Bihar, Patna.
4. The Deputy Commissioner, Prohibition and Excise, Bihar, Patna.
5. The Accountant General, Bihar, Patna.

... .. Respondent/s

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**Appearance :**

|                      |   |                                     |
|----------------------|---|-------------------------------------|
| For the Petitioner/s | : | Mr. Basant Kumar Tripathy, Advocate |
| For the Respondent/s | : | Mr. Birju Prasad, GP-13             |
|                      |   | Mr. Ajit Anand, AC to GP-13         |
| For the A.G.         | : | Mr. Bindhyachal Rai, Advocate       |

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**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**

**ORAL JUDGMENT**

**Date : 04-08-2025**

Heard learned counsel for the petitioner, learned  
counsel for the State and learned counsel for the Accountant  
General.

2. The present writ petition has been filed by the  
petitioner with the following reliefs:

*“(i) For issuance of a Writ in the  
nature of Writ of Certiorari for quashing  
the impugned Reasoned Order, dated*



*21.5.24, passed under the signature of Deputy Commissioner, Prohibition and Excise, Bihar, Patna, issued vide Memo No.2076, dated 24.05.2024, whereby and whereunder the application dated 08.04.2024 of the petitioner has been rejected and the petitioner has been deprived from the benefit of Second A.C.P. and Third A.C.P.*

*(ii) For issuance of a Writ in the nature of Writ of Mandamus for commanding and directing the respondents to give the benefit of Second A.C.P. and Third A.C.P. to the petitioner.*

*(iii) For granting any other relief/reliefs for which the petitioner is found entitled in the facts and circumstances of the case.”*

3. Learned counsel for the petitioner submits that petitioner had earlier moved before this Hon'ble Court in CWJC No.15931 of 2022 in which this Hon'ble Court vide order dated 20.03.2024 had pleased to grant liberty to the petitioner to file representation before respondent No.2, the Commissioner, Department of Registration, Excise and Prohibition, Government of Bihar, Patna, and respondent No.2, the Commissioner, Department of Registration, Excise



and Prohibition, Government of Bihar, Patna, was directed to pass a reasoned and speaking order. Counsel submits that order has been but no relief has been granted, therefore, he has filed the present writ petition.

4. Learned counsel for the State is present and submits that reasoned and speaking order has been passed, which is Annexure-P/15. He submits that in the reasoned order it has been categorically held that if any government employee against whom criminal case is pending, then in that case his promotion could not be considered during the said period.

5. Learned Counsel for the Accountant General, Bihar, is present.

6. After hearing the parties, a specific question has been put by this Court to the Counsel for the petitioner that whether criminal proceeding is still pending or it is ended?

7. Learned Counsel for the petitioner fairly submits that according to his knowledge criminal proceeding is still pending against the petitioner.

8. As such, the petitioner is not entitled to any relief at this juncture. If in future, the cause of action shall



arise in favour of the petitioner, he shall be at liberty to move before the appropriate forum first for his relief.

9. With the aforesaid direction, the writ petition stands disposed off.

**(Dr. Anshuman, J)**

Mkr./-

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| AFR/NAFR          | NAFR       |
| CAV DATE          | NA         |
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