

**IN THE COURT OF PRINCIPAL SESSIONS JUDGE, NAWADA
DISTRICT-NAWADA, BIHAR
[CRIMINAL REVISION NO. -60/2025]**

**(Arising out of order dated 19.06.2025 passed by Ld. A.C.J.M.-1st,
Nawada in Muffasil P.S. Case No. 91/2025)**

IN THE MATTER OF:-

Status of the parties
before this Court

Revisionist

1. Ram Babu Yadav,

S/o-Chhotu Yadav, aged 24 years

R/O Vill-Gopalpur, P.S.-Rajauli, Distt.-Nawada

(Owner of Truck bearing Regn. No.-JH-12Q- 6375, Chasis No.-

MAT781005L3N12912, Engine No.-B56B6A220D06120L63847078

..... **Petitioner/Revisionist**

Vrs.

1. The State of Bihar

Counsel for the petitioner:-

Counsel for the opposite party:-

Date of order: **12-03-2026**

.....Opposite party

Shri Niranjn Kr. Singh, Ld. Advocate

Shri Manoj Kumar Singh, P.P.

Present: Ashutosh Kumar Jha,
Principal Sessions Judge,
Nawada

12.03.2026

ORDER

1. The present Revision has been preferred under section 397/399 of Cr.P.C. impugning the order dated 19.06.2025 (herein after called impugned order) in which Ld. A.C.J.M.-1st, Nawada rejected the release petition related to vehicle Truck bearing Regn. No.-JH-12Q-6375, Chasis

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No.-MAT781005L3N12912, Engine No.-B5.6B6A220D06102L-63847078.

2. That the case of the prosecution is that on 040.03.2025 at about 06:10 A.M. in the morning a secret information has been received that a stone chips laden twelve wheeler Truck bearing Regn. No.- JH-12Q-6375 and the driver of the said truck has been told to stop the vehicle, the driver produce the challan for carrying the minerals. The said challan was valid from 03.03.2025, 07:11:34 A.M. till 05.03.2025, 07:26:33 A.M., the said challan was valid for carrying 600 cubic feet stone chips. However, the said truck was found carrying 652 cubic feet of stone chips. The said vehicle has been seized total of Rs. 55,300/- and two mobile phones have been seized from the possession of the driver of the said truck. The seizure list was prepared and the F.I.R. got registered under Rule 11, 43 and 46 of Bihar Mines and Mineral Illegal Mining Transportation and Storage 2019 which has been amended in the year 2024 and u/s-4 and 21 of MMDR Act 1957 and also under 15 of Environment Protection Act 1956.

2. Feeling aggrieved by the aforesaid impugned order, the present revision petition has been preferred by the Revisionist namely Ram Babu Yadav on the grounds as set out in the petition. The main contention of the Revisionist is that the revisionist has no criminal antecedent and said Highwa truck of twelve wheeler bearing Regn. No.-JH-12Q-6375 has been intercepted and the valid challan was produced by the driver which

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was valid from 03.03.2025 till 05.03.2025 for carrying 600 cubic feet of stone chips. That since the vehicle was carrying the valid challan the said Highwa truck that has been seized is an illegal act and same needs to be released immediately without payment of any fine so imposed by the concerned authority.

3. Ld. P.P. stated that said seized vehicle was involved in Muffasil P.S. Case No.-91/2025, U/S- 303(2), 317(2), 111(3) BNS and said vehicle should not be released, since fine amount has not been deposited to the mining department.

4. Ld. Counsel for the revisionist is present. Heard Ld. P.P. as well as Ld. Counsel for the revisionist.

4. It appears from the perusal of case record that the report has been called from the District Mines and Mineral Officer, District Transport Officer, District Magistrate Nawada and District Mining officer, Hazaribagh as well as from the concerned Muffasil Police station. Vide Letter No.-435/Khanan, Hazaribagh dated 26.04.2025 it was reported that e-parivahan challan F22503257/33 dated 03.03.2025 has been issued to the License dealer of the vehicle bearing Regn. No.- JH-12Q-6375 dated 03.03.2025 time 07:11:34 A.M. to Rampur, Post-Anbariya Talibabad, B.O.-Uttar Pradesh, PIN-244921 for carrying of 600 cft. of stone chips. The said vehicle was found to carrying 52 cubic feet of stone chips in excess from the challan limit. The said e-parivahan challan was valid till 05.03.2025 for the time 07:26:33 A.M. However, the truck

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driver instead of proceeding to the road going towards its destined place Rampur, Uttar Pradesh took a u-turn and move towards Nawada, Bihar and the said movement was made to make it possible to make many a trip to Nawada, Bihar within the valid period of challan. The Mineral Development Officer, Nawada vide its letter NO.-1074/kha, dated 31.05.2025 reported that the said stone chips laden vehicle had crossed the Karigaon Toll Plaza seven times within the period of 03.03.2025 07:11:33 A.M. till 05.03.2025 07:26:33 A.M. The seven trips have been taken by the said truck through Karigaon toll plaza till 04.03.2025, it was done with an illegal and ulterior motive to illegally use the valid challan as mentioned above which was to be for the destination Rampur, Uttar Pradesh and instead the same has been taken to Nawada, Bihar seven times, which caused the loss to the exchequer. Since the amount of stone chips was found to be 652 cft. of which Rs. 8,69,275/- is payable towards the fine. The said vehicle which was illegally carrying the stone chips to Nawada, Bihar for seven times passing through the Karigaon Toll Plaza caused a great loss to the State, the same can be released only after paying the fine amount. There is no illegality, irregularity or impropriety in the impugned order.

5. Present Revision petition is, accordingly **dismissed**, with above observations.
6. Nothing stated herein shall tantamount to have an expression of opinion of the merits of the case.

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7. A copy of the order be sent to court of A.C.J.M.-1st, Nawada along with Trial Court record.

8. File related to Revision petition be consigned to the Record Room.

Dictated and corrected by me.

Ashutosh Kumar Jha
Principal Sessions Judge,
Nawada
12.03.2026

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(Ashutosh Kumar Jha)
Principal Sessions Judge,
Nawada
12.03.2026