



2026:PATHC:38733

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2354 of 2026

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Raju Kumar Son of Nageshwar Mahto, Resident of Ward No. 03, Gilani, P.S.
Sare, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Old Secretariat, Patna.
2. The District Magistrate, Sheohar.
3. The Mining Officer Mines Department,, Sheohar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shashi Bhushan Singh, Advocate
For the State	:	Mr. Addl. Advocate General 9
	:	Mr. Braj Bhushan Mishra, AC to AAG-9
For the Mines Dept.	:	Mr. Naresh Dikshit, Spl. PP Mines

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-04-2026 Heard Mr. Shashi Bhushan Singh, learned counsel

for the petitioner and Mr. Naresh Dikshit, learned Spl. PP Mines

Department beside learned State counsel.

2. The present petition has been preferred for the
grant of following relief(s):

*“(i) to issue an appropriate order/s,
direction/s including a Writ preferable in the
nature of CERTIORARI for quashing of order
dated 07.03.2025 passed in Case No. 29/2025 by
the District Magistrate, Sheohar has been
pleased to hold the petitioner guilty under Rule
56(i)(ii) and imposed a penalty of Rs.9,06,189/-
under Rule 56 (2)(ii) with a direction that appeal
lies before the Mines Commissioner, Bihar*





within Sixty days.

(ii) for direction to the respondents to release the seized vehicle forthwith without insisting upon surety, on such reasonable conditions as deemed fit.

(iii) pass any other order(s) as this Hon'ble Court may deem fit in the interest of justice.”

3. The Truck of the petitioner bearing Registration No.BR-27GA-6559 which was intercepted on 29.01.2025 while moving from Dumka to Gopalganj and as it was without any valid document, seized.

4. The Mines Department has filed affidavit bringing on record that confiscation proceeding has been initiated and notice has been issued on 25.11.2025 under the joint signature of the Collector, Sheohar and the Mineral Development Officer, Sheohar and the petitioner has to respond. The further contention is that a fine of Rs.9,06,189/- has been imposed.

5. Learned counsel for the petitioner submits that he shall be fighting the battle out in the Court but the seizure of vehicle has put him in economic crisis and even the condition of the truck is deteriorating, it being kept in the open sky and he is





ready to pay the fine amount of Rs.9,06,189/- under protest. Learned counsel for the petitioner further submits that during the pendency of the proceeding, the truck shall not be alienated and will be produced as and when required by the respondent authorities.

6. Learned counsel representing the Mines Department submits that if the petitioner is ready to pay the fine amount of Rs.9,06,189/-, the truck shall be released subject to the proceeding to be continued.

7. In that background, with the consent of the parties, the writ petition is disposed of allowing the petitioner to approach the District Mining Officer, Sheohar in next one week who shall be taking up the matter and after payment of fine amount of Rs.9,06,189/-, shall release the truck. Further;

(i) the petitioner shall not alienate the land till the pendency of the proceedings;

(ii) he shall be producing the vehicle as and when required before the authority.

(Rajiv Roy, J)

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