



2026:PATHC:9604

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7509 of 2025

Nirmal Singh @ Nirmal Kumar Singh S/o Ramdev Singh, Resident of Suba Bigaha, P.O. and P.S.-Jamuhar, Dist-Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through the Mines Commissioner, Department of Mines and Geology, Govt. of Bihar, Patna.
2. The Additional Chief Secertary (ACS) cum Mines Commissioner, Department of Mines and Geology, Govt. of Bihar, Patna.
3. The Director General of Police, Govt. of Bihar, Patna.
4. The District Magistrate, Aurangabad, Bihar.
5. The Superintendent of Police, Aurangabad, Bihar.
6. The Officer in Charge, Barun Police Station, District-Aurangabad.
7. The District Mining Officer, Aurangabad.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Bharat Bhushan
For the Respondent/s	:	Mr. Standing Counsel 26
For the Mines	:	Mr. Naresh Dikshit, Spl. PP
		Mr. Brij Bihari Tiwari, Advocate
		Ms. Shruti Singh, Advocate
		Mr. Utkarsh Pathak, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

6 22-01-2026 Heard the learned counsel for the petitioner, the learned counsel for the State and the learned counsel for the Mines Department.

2. This writ petition has been filed for commanding and directing the authority concern for the quashment of the order dated 03-12-2024 passed in Misc Appeal No. 02/2024 and release of the Vehicle of the Petitioner Bearing Reg.No. BR24GB-4420, Chassis No. IPY5060EEJA002753, Engine No.





PY3029H118987, which has been seized/impounded merely on suspicion in connection with Barun, P. S. Case No 366 of 2022, filed dated 17-08-2022 registered for the offences punishable under section 379 and 411 of the Indian Penal Code and rule 04(1A), 21 of the Mines and Minerals Development and Regulation Act and Rules 11, 18, 43, 46 of the Bihar Minerals Concession & Prevention of illegal mining Transportation and Storage Rules.

3. Earlier the petitioner had approached this Court *through* C.W.J.C. No. 7050 of 2023 in which the petitioner was directed to file a representation before the Mines Commissioner, Department of Mines and Geology, Bihar, Patna which was to be considered by the Mines Commissioner.

4. The Mines Commissioner has considered the representation of the petitioner and has rejected the same on the ground that the payloader of the petitioner was found involved in illegal sand mining after removing the number plate. The counter affidavit of the DTO provides the registration number of the payloader.

5. During the hearing, this Court has put some questions to the learned counsel for the petitioner. The first question was whether as to how did the payloader of the





petitioner reached the place of illegal mining site when the petitioner belongs to Rohtas and the payloaders has been recovered from Aurangabad.

6. The learned counsel for the petitioner submits that the loader had been taken for some legal purpose. The learned counsel for the petitioner has not been able to explain as to how the loader was caught at the site of illegal mining. He has also not been able to explain as to how and why the number plate of the payloaders was not there on the payloaders when the illegal mining was detected.

7. In these circumstances, I do not find it a fit case for interference. Accordingly, this application is dismissed.

8. The order dated 04.11.2025 is hereby recalled. The petitioner is directed to produce the payloaders before the respondent authorities within 7 days failing which the respondent authorities will take all steps for the same.

(Sandeep Kumar, J)

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