

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P. (Cr.) No. 497 of 2025

Rohit Bagariya @ Rohit Bagaria, S/o Late Om Prakash Bagariya, aged
41 years, R/o Marwari Mahalla, Pachamba, P.O. Pachamba, P.S. &
District Giridih --- --- Petitioner

Versus

1. The State of Jharkhand
2. The Inspector of Mines, District Mines Office, P.O., PS & District
Giridih --- --- Respondents

CORAM: Hon'ble Mr. Justice Rongon Mukhopadhyay

For the Petitioner: Mr. Yogesh Modi, Advocate
For the Respondents: Mr. Baibhav Gahlaut, AC to AAG-V.

06 / 18.03.2026 Heard Mr. Yogesh Modi, learned Counsel for the petitioner and
learned A.C. to A.A.G.-V.

2. In this writ application, the petitioner has prayed for quashing of
the order dated 26.03.2025 passed by the learned Additional Sessions
Judge-I, Giridih in Cr. Revision No. 119/2024 whereby and whereunder
the order dated 27.09.2024 passed by the learned C.J.M., Giridih in
connection with Pachamba P.S. Case No. 12/2024 rejecting the
application preferred by the petitioner for de-sealing the godown and
factory of the petitioner and release of the seized Mica, Mica Powder
and Mica Flakes, has been affirmed.

3. It has been submitted by the learned Counsel for the petitioner
that the revisional court has refused to entertain the revision primarily
on the ground that there was no licence issued in favour of the petitioner
for storage of Mica in the factory.

4. Learned Counsel submits that the report dated 09.03.2025 clearly
indicates that the petitioner is the owner of the seized Mica and the
sealed godown.

5. Learned A.C. to A.A.G.-V has opposed the prayer made in this application and has submitted that the Police after investigation has submitted charge-sheet.
6. It has been submitted that it would be premature at this stage to de-seal the godown and release the Mica, Mica Flakes and Mica Powder in favour of the petitioner.
7. It has been alleged that the petitioner was illegally running a factory-cum-godown and on a raid conducted Mica flakes, Mica Powder and Mica dust were seized and the factory was sealed.
8. An application was preferred by the petitioner before the learned C.J.M., Giridih in Pachamba P.S. Case No. 12/2024 for release of the seized Mica, Mica Powder and Mica flakes and for de-sealing of the godown which goes by the name and style of Ganpati Mica Industries which, however, was rejected vide dated 27.09.2024 prompting the petitioner to prefer a revision application before the learned Addl. Sessions Judge-I, Giridih in Cr. Revision No. 119/2024 which also stood rejected vide order dated 26.03.2025.
9. It appears from a perusal of the impugned order dated 26.03.2025 passed in Cr. Revision No. 119/2024 that the Police report dated 09.03.2025 as contained in memo No.372/2025 has ascertained that the petitioner was the owner of the seized Mica as well as the sealed godown.
10. The learned revisional court on the ground that there was no licence for storage of Mica in the factory had dismissed the revision application. Since a report has already been submitted certifying the ownership of the petitioner over the sealed godown as well as the seized

Mica and since charge-sheet has already been submitted by the Police, the learned revisional court should have considered the prayer made by the petitioner in its proper perspective.

11. In view of the aforesaid, therefore, the order dated 26.03.2025 passed by the learned Addl. Sessions Judge-I, Giridih in Cr. Revision No. 119/2024 is hereby quashed and set aside. Consequently, the order dated 27.09.2024 passed by the learned C.J.M., Giridih in connection with Pachamba P.S. Case No. 12/2024 is also quashed and set aside. The trial court is directed to pass necessary orders for de-sealing of the godown as well as release of the Mica, Mica Powder and Mica Flakes on such terms and conditions it deems fit. The said exercise shall be concluded within a period of two weeks from the date of receipt/production of a copy of this order.

12. This writ application stands disposed of.

(Rongon Mukhopadhyay, J)

P.K.S.
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