

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8399 of 2015

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Ram Babu Singh, son of Ramchandra Singh, resident of Village- Semara,
P.S. Koilwar, District- Bhojpur at Ara.

.... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Mines & Geology
Department, Government of Bihar, Patna.
2. The Collector, District- Bhojpur at Ara.
3. The District Mining Officer, District Bhojpur at Ara.
4. The Superintendent of Police, District- Bhojpur at Ara.
5. The Station House Officer, P.S. Koilwar, District- Bhojpur at Ara.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Binit Kumar, Advocate.

For the Respondent/s : Mr. D.K. Sinha, AAG-2

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

and

**HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

**(Per: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH)**

3 24-08-2015 Heard Mr. Binit Kumar, learned Counsel for the

petitioner, and Mr. D.K. Sinha, learned Additional Advocate

General No.2, appearing on behalf of the State-respondents.

Heard also Mr. Rajendra Prasad, learned Special Public

Prosecutor, appearing on behalf of the Mines.

This application has been filed seeking direction to

the respondents to stop illegal mining from the *raiya* land of the

villages situated near the western bank of the Sone river as some

anti-social elements are extracting sand from the *raiya* land.

Counter affidavit has been filed on behalf of the



Collector, Bhojpur, and District Mining Officer, Bhojpur, stating therein that on the basis of news reports as regards illegal mining, at the place in question, the authorities have taken action and raided the spot, on 16.04.2015, and have seized seven vehicles being used in illegal mining. It has also been stated that the police has lodged First Information Report bearing Koilwar Police Station Case No.79 of 2015.

From the counter affidavit, it appears that the respondents have taken action against the illegal mining, alleged in the present application under public interest litigation. However, it is a matter of serious concern that the authorities, particularly, the Collector, Bhojpur, At Ara, and District Mining Officer, Bhojpur, at Ara, swearing into action only after seeing the news report.

In our considered view, the authorities ought to have been more vigilant in the matter of illegal mining alleged in the writ application.

We direct the Collector and District Mining Officer, Bhojpur, at Ara, to be more vigilant in such matters. We also direct the Superintendent of Police, Bhojpur, at Ara, to ensure that the F.I.R. instituted, with reference to illegal mining as alleged, is brought to its logical end as expeditiously as possible.

This application stands disposed of accordingly.

(I.A. Ansari, ACJ.)

(Chakradhari Sharan Singh, J.)

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