

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7667 of 2018

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Pramod Kumar, Son of Jamuna Sah, R/o Village- Phulwariya, P.S.- Chenari,
District- Rohtas at Sasaram.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Mines Commissioner, Bihar, Patna.
2. The District Magistrate, cum Collector Kaimur at Bhabua
3. The District Mining Officer, Mohania, District Kaimur at Bhabua.
4. The District Transport Officer, Kaimur at Bhabua.
5. The Enforcement Inspector, Transport Department Bihar, Patna.
6. The Superintendent of Police, Rohtas at Sasaram.
7. Officer in charge of Chenari Police Station.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate
For the Respondent/s : Mr. Gyan Prakash Ojha -G.A-7

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 24-04-2018 Vehicle of the petitioner (truck) bearing

Registration No. UP65 AT-0548 has been seized in connection
with Chenari P.S. Case No. 282 of 2017 for offence under
Section 379/411 I.P.C. read with Section 40 (1) of the Bihar
Mining Act, 1972. The petitioner was found transporting sand
illegally in the vehicle in question.

Keeping in view the facts and circumstances of the
case, we direct that the aforesaid vehicle of the petitioner be
released on the petitioner furnishing two local sureties to the
satisfaction of the District Magistrate, Kaimur at Bhabua and



further undertaking that the petitioner shall not alienate the vehicle or deal with it in any manner adverse to the right of the State Government and not create a third party interest and shall produce the vehicle before the District Magistrate as and when ordered. The order passed by us is only to release the vehicle. The sand seized shall not be released along with the vehicle and the petitioner shall abide by all conditions for release of the vehicle till disposal of the criminal case and the confiscation proceedings. The vehicle in question shall be released within a period of one week from the date of furnishing the sureties.

With the aforesaid, the application stands disposed of.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

P.K.P./-

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