

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.778 of 2022

Arising Out of PS. Case No.-229 Year-2021 Thana- JAGDISHPUR District- Bhagalpur

Vikash Kumar Mandal, son of Janardhan Mandal, Resident of Village-Gokhli Tola, Parihar, Aghokopa, P.S.-Rupauli, District-Purnea.

... .. Petitioner

Versus

- 1.The State of Bihar through its Principal Secretary, Mines and Minerals Deptt. Govt. of Bihar, Patna.
2. The Principal Secretary, Mines and Minerals Department, Govt. of Bihar, Patna.
3. The Collector-cum-District Magistrate, Bhagalpur.
4. The Inspector of Mining, Bypass Check Post, District-Bhagalpur.
5. The Officer-in-Charge, Bypass T.O.P., Bhagalpur, District-Bhagalpur.

... .. Respondents

Appearance :

For the Petitioner	:	Mr. Sharda Nand Mishra, Advocate
For the Mines	:	Mr. Naresh Dixit, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 14-11-2022 Since this Court has been informed that confiscation of the vehicle in question has already been recommended by the District Mining Officer to the Collector, Bhagalpur and according to learned counsel for the Department of Mines, the confiscation case is pending before the Collector, Bhagalpur, the remedy of the petitioner lies before the said authority, this Court would not exercise its extraordinary jurisdiction at this stage.

The petitioner is at liberty to file an appropriate application before the Collector, Bhagalpur for release of the vehicle in question on such terms and conditions as may be deemed just and proper and in accordance with law by the said



authority. If such an application is filed within a period of 30 days from today, the same will be considered and disposed of by the Collector, Bhagalpur within 60 days thereafter. All submissions are kept open and it is expected that the Collector shall consider all the submissions of the petitioner.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

