

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9902 of 2022

Pushaplata Devi Wife of Mukesh Yadav Resident of Village- Nista, Police Station- Surajgarha, District- Lakhisarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Mining and Mineral Department, Government of Bihar, Patna.
2. The District Magistrate, Lakhisarai.
3. The Superintendent of Police, Lakhisarai.
4. The Station House Officer, Surajgarha, Police Station, Lakhisarai.
5. The Mineral Development Officer, Lakhisarai.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Mukesh Kumar, Advocate Mr. Sanjeev Kumar, Advocate
For the Respondent/s	:	Mr. Gyan Prakash Ojha, GA-7

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 04-08-2022

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-

1. That, this is an application for issuance of an appropriate writ/writs or direction to the respondents to release the truck of petitioner having Registration No. JH-02P-2175 (Goods carrier) Engine No. B591452001A62833170 and Chassis No. MAT 426031A1A03197, Model No. LPT2515TC the said truck has been illegally seized in Surajgarha P.S. Case No. 46/2022 on 24.01.2022 by Mineral Development Officer, Lakhisarai the truck is lying in open sky in Surajgarha Police Station without any rhyme and reason losing its value day by day though the truck was carrying said on proper challan.



Having heard learned counsel for the parties at length, we dispose of the present petition with liberty to the petitioner to file a petition before the Special Court under the Mines and Minerals (Development and Regulation) Act, 1957, under Section 451 of Cr.P.C. and if any such petition is filed for release of the truck in question, the Special Court (Mines) shall dispose of such petition within 30 days from the date of its filing.

Petition stands disposed of with the aforesaid observations/directions.

Interlocutory Application(s), if any, shall stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Amrendra/PKP

AFR/NAFR	
CAV DATE	
Uploading Date	05.08.2022
Transmission Date	

