

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11149 of 2022

Sanjay Yadav Son of Parmeshwar Yadav Resident of Village- Shiv Mandir,
New Singhrawan, P.S.- Chouparan, District- Hazaribagh (Jharkhand).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary-Cum-Mines Commissioner, Mines and Geology Department, Vikash Bhawan, Bailey Road, Patna, Bihar.
2. The Deputy Director (Mines)-cum-Competent Authority Department of Mines, Bihar.
3. The District Magistrate-Cum-Collector, Patna.
4. The Senior Superintendent of Police, Patna.
5. The District Mining Officer, District Mining Officer, Veerchand Patel Path, Patna.
6. The Officer In-Charge, Maner Police Station, District- Patna.
7. Mining Inspector, District Mines Office, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Rohit Kumar Sharma, Advocate
For the Respondent/s : Mr.Gyan Prakash Ojha (GA 7)

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

(The proceedings of the Court are being conducted by Hon'ble the Chief Justice/Hon'ble Judges through Video Conferencing from their residential offices/residences. Also the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences/offices.)

2 12-08-2022

Petitioner has prayed for the following relief(s):

“For direction to the



respondents to release the Poclain machine bearing No. S 200-52525 Tata Hitachi, Ex. 200-Super Hydranlic Excavotor, which was seized by Mines Inspector, of District Mining Office, Patna in connection with Maner P.S. Case No. 403 of 2021, for the commission of the alleged offences Under Section 379,411 of the I.P.C. and 4/40 of the Bihar Minor Minerals concession Rules 1972 & 56(i) of the Bihar Minerals (Concession, Prevention of illegal Mining Transportation & Storage) Rule 2019 and the Section 21 of the Mines and Minerals (Development and Regulation) Act, 1957.”

After the matter was heard for some time, finding the Court not in favour of the submissions made by the learned counsel for the petitioner, learned counsel for the petitioner, under instructions, states that the petitioner shall be content if the petitioner is permitted to withdraw the present petition, with liberty to initiate appropriate proceedings before the appropriate forum and to take recourse to such other alternate remedies which are equally efficacious in law.

Prayer allowed.

The petition is disposed of as withdrawn with the liberty aforesaid.



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

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/DKS

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