

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17193 of 2023

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Ajit Kumar Son of Naresh Prasad Resident of Vilalge-Chunukapur, Post-Bandhuganj, Police Station-Ghosi and District-Jehanabad, Bihar-804432.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secreary Department of Mines and Geology, Government of Bihar, Patna.
2. The District Magistrate, Gaya.
3. The Superintendent of Police, Gaya.
4. The Mineral Development Officer, Gaya.
5. The Mines Inspector, Gaya.
6. Officer-in-charge, Belaganj Police Station, District-Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Avinash Chandra, Advocate
For the Mines	:	Mr. Naresh Dikshit, Advocate
For the Respondent/s	:	Mr.Sajid Salim Khan (SC 25)

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 15-02-2024 Heard Mr. Avinash Chandra, learned counsel

 appearing on behalf of the petitioner; Mr. Naresh Dikshit,

 learned counsel for the Mines and Geology Department and Mr.

 Sajid Salim Khan, learned SC 25 for the State.

2. The present writ petition has been filed for the release of the Truck bearing Registration No.BR 25G 7482, after the petitioner having deposited the amount of compounding fee as per the provision of Section 56 of Bihar Minerals (Concession, Prevention of Illegal Mining, Transportation & Storage) Rules, 2019 (hereinafter to be referred as the ‘Act, 2019’).

3. Mr. Naresh Dikshit, learned counsel for the Mines



and Geology Department, Government of Bihar upon telephonic instruction given by the District Mining Officer, Gaya submits that the petitioner has already deposited the amount of compounding fee and the Truck will be released once the petitioner approaches the District Magistrate-cum-Collector, Gaya .

4. Considering the aforesaid information given by the learned counsel appearing on behalf of the Mines and Geology Department, the District Magistrate, Gaya must not delay in releasing the Truck, in question, forthwith the day the petitioner submits an application for release of the Truck, in accordance with the law, considering the sureties deposited on behalf of the petitioner.

5. The confiscation case will be heard on its own merit.

6. With the above observation/direction, the present writ petition stands disposed of.

(Purnendu Singh, J)

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