

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.59 of 2025

Arising Out of PS. Case No.-450 Year-2024 Thana- RANIYATALAB District- Patna

1. Arjun Kumar S/O Vishnudev Ray Resident of Village- Kajichak, PS- Barhara, Dist.- Bhojpur
2. Chaturgun Ray @ Chaturgun Roy S/O Radha Ray R/O Vill. - Kolrampur, Pachrukhiya, PS- Barhara, Dist. Bhojpur
3. Munna Kumar S/O Shivratan Ray R/O Vill. - Kolrampur, Pachrukhiya, PS- Barhara, Dist. Bhojpur
4. Sandeep Yadav S/O Umashankar Yadav R/O Vill. - Kerama Maharupur, PS- Ghosi, Dist.- Mau, UP

... .. Petitioner/s

Versus

1. The State of Bihar through the Dy. Secretary of the Dept of Mines, Patna. Patna
2. The District Magistrate, Patna. Bihar
3. The Superintendent of Police, Patna Rural. Bihar
4. The Deputy Superintendent of Police, Paliganj, Patna. Bihar
5. The Mines Superintendent, Patna Bihar
6. The State House Officer, Rani Talab PS, Patna Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Manoj Kumar
For the Respondent/s	:	Mr. Naresh Dikshit

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

3 26-06-2025 Heard the learned counsel for the petitioner and the learned counsel for the State.

2. The present writ petition is filed for issuance of appropriate writ /writs, order/orders, direction/directions to the Respondent Authorities for release of Truck bearing Reg. No. 1. UP60T-7608, name of owner Arjun Kumar (Petitioner no.1), 2.



BR-03GB-8462, owner Chaturgun Ray (Petitioner no. 2), 3. BRO3-GB-8988, owner Muna Kumar (Petitioner no. 3), 4. UP54T2302, owner Sandeep Yadav (Petitioner no. 4), which has been seized by Mines Development Officer/ Mines Inspector, Patna and FIR has been lodged in connection with Rani Talab P.S. Case No. 450/2024, dt 07/12/2024, U/S 303(2), 317(2) of BNS.

3. The petitioners claims have valid Token issued by Gokul Sai Udyog on dt. 06/12/2024 and the proprietor of said Gokul Sai Udyog has issued certificate in favor of petitioners and he has also mentioned the said trucks have been seized by the police illegally and due to slot have been full the e-Challan has not been issued, so the documents shows that the petitioners have legally loaded the sone sand and the FIR has been lodged alleging therein the petitioners have carried sone sand illegally and they have not shown the challan. The aforesaid sections which have been mentioned in the FIR is not attracted against the petitioners.

4. The Petitioner no. 1 is the owner of Truck bearing Reg. No. UP60T-7608, Petitioner no. 2 is the owner of Truck bearing Reg. No. BR-03GB-8462, Petitioner no.3 is the owner of Truck bearing Reg. No. BRO3-GB-8988, Petitioner no.4 is



the owner of Truck bearing Reg. No. UP54T2302.

5. The learned counsel for the petitioners submits that without prejudice to their right and contention, the petitioners are ready to pay the amount of fine imposed upon them in ten equal installments.

6. The fine imposed upon the petitioners are as follows:

- I). The fine imposed upon the Petitioner no. 1 who is the owner of Truck bearing Reg. No. UP60T-7608 is Rs. 8,55,913/-*
- ii). The fine imposed upon the Petitioner no. 2 who is the owner of Truck bearing Reg. No. BR-03GB-8462 is Rs. 8,49,629/-*
- iii). The fine imposed upon the Petitioner no.3 is the owner of Truck bearing reg. no. BRO3-GB-8988 is Rs. 8,51,653/-*
- iv). The fine imposed upon the Petitioner no.4 who is the owner of Truck bearing reg. no. UP54T2302 is Rs. 8,61,131/-*

7. In the interest of justice, this application is disposed of.

8. The petitioners are permitted to pay the amount of fine imposed upon them in ten monthly installments.

9. On deposit of the first installment by each of the petitioner, the vehicle in question shall be released by the authority concerned in favour of the petitioners after verifying the documents of ownership of the vehicle in the name of the



petitioners and the release would be subject to the following conditions:-

(i). Each petitioner along with their first installment will also furnish a bank guarantee or any other kind of valuable security to the extent of Rs. 10,00,000/- (rupees ten lakh) to the satisfaction of the learned Court below;

(ii). The owner shall also furnish an undertaking on oath that he shall not alienate or part with the ownership of the vehicle in question during pendency of the case and further in case any confiscation proceeding is initiated in the matter, he will cooperate with the same;

(iii). Before release of the vehicle in question, a panchnama shall be prepared by the Court below and the same will be kept in the record.

(iv). The release shall become final after the entire amount is paid in ten installments.

(Sandeep Kumar, J)

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