

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.391 of 2025

Arising Out of PS. Case No.- Year-0 Thana- District- Aurangabad

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Bhushan Kumar S/o- Sri Lala Singh Village- Marsua Tola Anandi Bigha Ps-
Tehta Dist- Jehanabad

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Mines Dept. Bihar, Patna Bihar
2. The Director General of Police, Bihar, Patna Bihar
3. The Superintendent of Police, Aurangabad Bihar
4. The Office in Charge, Goh, Dist- Aurangabad Bihar
5. The Inspector of Mines Aurangabad Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Saobiya Mushtaque
For the Respondent/s	:	Mr. Prabhakar Jha, G.P.27
		Ms. Kalpana

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 30-06-2025 Heard learned counsels for the parties.

2. The present application has been filed for the following reliefs:

(i) For issuing direction upon the respondents to release the truck bearing Registration No.BR06GG1994 (12 wheeler), Chesis No.- MAT569002R3D11608 and Engine No.B6, 7B62300D03142D03142D64378389 to the petitioner which has been wrongly seized and kept under open sky in the premises of Goh Police Station.

(ii) For issuance of direction upon the respondents to make payment of appropriate compensation to the petitioner for the loss caused to him



for wrong and illegal seize of the petitioners' truck.

(iii) For any other relief for which the petitioner is found entitled in the opinion of the Court.

3. It has been argued that the respondents have arbitrarily and illegally seized the Truck as well as the sand loaded thereupon against all the legal norms.

4. The learned counsel for the petitioner submits that without prejudice to his right and contention, the petitioner is ready to pay the amount of fine i.e., Rs.8,32,000/- approx within 18 months as his financial condition has deteriorated due to the seizure of this truck.

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

6. The petitioner is permitted to pay the amount of fine within 18 months.

7. On deposit of the first installment, the vehicle in question shall be released by the authority concerned in favour of the petitioner after verifying the documents of ownership of the vehicle in the name of the petitioner and the release would be subject to the following conditions:-

(i). The petitioner along with the first installment will



also furnish a bank guarantee or any other kind of valuable security to the extent of Rs. 10,00,000/- (rupees fifteen 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 within 18 months from today.

(Sandeep Kumar, J)

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