

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4271 of 2025

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Dhaneshwar Bhagat Son of Ramotar Bhagat Resident of Ward No.- 16,
Teliyaghat, Sarbeila, P.S.- Banma, Ithari, District- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Govt. of Bihar, Old Secretariat, Patna, Bihar.
2. The Secretary, Department of Mines and Geology, Vikash Bhawan, Bailey Road, Patna, Bihar- 800014.
3. The Additional Secretary, Department of Mines and Geology, Government of Bihar, Patna, Vikash Bhawan, Bailey Road, Patna, Bihar- 800014.
4. The Secretary, Department of Finance and Commerce, Government of Bihar, Old Secretariat, Patna, Bihar.
5. The District Mining Officer, Madhepura, Collectorate Madhepura, Bihar.
6. The District Magistrate, Madhepura, Collectorate, Madhepura, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar Pandey, Advocate
For the State	:	Mr. Md. Irshad, AC to SC-1
For the Mines	:	Mr. Naresh Dikshit, Spl. PP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-04-2025 Heard Mr. Abhishek Kumar Pandey, learned counsel

for the petitioner, Mr. Md. Irshad, learned counsel for the State

and Mr. Naresh Dikshit, learned counsel for the Mines

Department.

2. The present writ petition has been filed for the
following reliefs:-

*(i) For commanding respondent for release of
the Truck bearing registration No.
BR11GB6383 which has been confiscated by
the District Mining Officer, Madhepura,*



wherein the reason has been recorded that the Petitioner has violated the terms of Bihar Mineral Rules, 2019 and in pursuant thereof total Penalty of Rs. 2,95,625/- (Two Lakh Ninety-Five Thousand Six Hundred Twenty Five only) has been imposed on the Petitioner and the Petitioner is ready to pay the said amount in six installment.

(ii) For directing the commanding respondent forthwith not to do auction of confiscated Truck bearing registration No. BR11GB6383 till disposal of this Writ Application.

(iii) Further for any other relief/s for which the Petitioner be found entitled in the eye of law.

3. Learned counsel for the petitioner submits that petitioner is the owner of the truck bearing Registration No. BR11GB6383. The petitioner was carrying the crushed stone from Dumka, Jharkhand for construction of his house at Saharsa, Bihar and during the transportation of the crushed stone the said truck has been confiscated by the District Mining Officer, Madhepura reason recorded the petitioner has violated the terms of Bihar Mineral Rules 2019 and in pursuant thereof total penalty of Rs. 2,95,625/- (Two Lakh Ninety Five Thousand Six Hundred Twenty Five only) has been imposed on the petitioner.



4. Learned counsel for the petitioner submits that the petitioner is ready to deposit Rs. 2, 95, 625/- as a fine before the District Mining Officer, Madhepura in two installments within a period of three months.

5. Learned counsel for the Mines Department submits that he has no objection if the petitioner is ready to deposit the fine amount before the concerned authority.

6. In view of the aforesaid, District Mining Officer, Madhepura (Respondent No.5) is directed to release the vehicle of the petitioner bearing Registration No. BR11GB6383, after receiving first installment and if the petitioner does not deposit the second installment within the stipulated time as mentioned above, District Mining Officer, Madhepura (Respondent No.5) is directed to take appropriate action against the petitioner, in accordance with law.

7. With the aforesaid direction, the writ petition stands disposed of.

(Rajesh Kumar Verma, J)

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