

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.5207 of 2024**

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Deepak Kumar Singh son of Madho Singh, resident of village- Simaria, P.S.-  
Jamhor, Dist.- Aurangabad, Bihar.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Mines and Minerals, Govt. of Bihar at Patna, Bihar.
2. The Chief Secretary, Department of Mines and Minerals, Govt. of Bihar at Patna.
3. The District Magistrate, Bhojpur at Arrah.
4. The Mining Officer, Bhojpur at Arrah.
5. The Superintendent of Police, Bhojpur at Arrah.
6. The Officer in Charge of Koilwar Police Station, Bhojpur.

... .. Respondents

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**Appearance :**

|                      |   |                                 |
|----------------------|---|---------------------------------|
| For the Petitioner/s | : | Mr. Niraj Kumar Singh, Advocate |
| For the Mines Deptt. | : | Mr. Naresh Dikshit, Spl. P.P.   |
| For the Respondent/s | : | Mr. AC to GP-19                 |

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      09-01-2025                      Heard the learned counsel for the petitioner, the learned counsel appearing on behalf of Mines Department and the learned counsel appearing on behalf of the State.

2.                      A counter-affidavit has been filed by the Mines Department which suggests that the District Magistrate (Bhojpur) has initiated the Confiscation Case No. 300 of 2023 and the final order has been passed on 19.10.2023 and as per provision as contained in Rule 56(A) of the Bihar Minerals (Concession, Prevention of Illegal Mining, Transportation & Storage) Rules, 2019, the petitioner may challenge the same



before the Mines Commissioner under Rule 56(A) of the Bihar Minerals (Concession, Prevention of Illegal Mining, Transportation & Storage) Rules, 2019.

3. If the petitioner files an appeal before the Mines Commissioner, the Mines Commissioner shall consider the appeal of the petitioner on its own merit and condone the limitation petition (in accordance with rule), if any, on the ground that the matter was pending before this Hon'ble Court.

4. With the aforesaid direction / liberty the writ petition stands disposed of.

**(Rajesh Kumar Verma, J)**

Shahnawaz/-

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