

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.860 of 2024

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

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KALAVATI DEVI W/O AMARJEET KUMAR R/O VILLAGE- KHARHAT,
P.S- SAHEBPUR KAMAL, DISTT.- BEGUSARAI.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR THROUGH THE ADDL. CHIEF SECRETARY CUM MINES COMMISSIONER, MINES AND GEOLOGY DEPTT GOVERNMENT OF BIHAR, PATNA.
2. THE PRINCIPAL SECREATARY, MINES AND GEOLOGY DEPARTMENT, GOVERNMENT OF BIHAR, PATNA.
3. THE DIRECTOR OF MINES, MINES AND GEOLOGY DEPARTMENT, GOVERNMENT OF BIHAR, PATNA. BIHAR
4. THE DISTRICT MAGISTRATE, JAMUI, DISTT.- JAMUI. BIHAR
5. THE SUPERINTENDENT OF POLICE, DISTRICT JAMUI. BIHAR
6. THE DISTRICT MINING OFFICER, JAMUI, DISTRICT JAMUI. BIHAR
7. THE DISTRICT TRANSPORT OFFICER, JAMUI, DISTRICT JAMUI. BIHAR
8. THE MINING INSPECTOR, JAMUI, DISTRICT JAMUI. BIHAR
9. THE TRANSPORT INSPECTOR, JAMUI. BIHAR
10. THE CIRCLE OFFICER, SIKANDRA, JAMUI, DISTRICT JAMUI. BIHAR
11. THE STATION HOUSE OFFICER, SIKANDRA, DISTRICT JAMUI. BIHAR

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Sarbottam Kumar Sarkar
For the Respondent/s	:	Mr. S.C 5
		Mr. Kumar Pankaj, AC to SC 5
For the Mines Dept.	:	Mr. Naresh Dixit
		Mr. Brij Bihari Tiwary

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 06-05-2025 Heard the parties.

2. This application has been filed on behalf of the



petitioner for the following relief:-

That this Criminal writ application is being filed for quashing the order dated 15.09.2023 passed in Cr. Misc. No. 06 of 2023 by the learned Chief Judicial Magistrate, Jamui as well as for quashing the order dated 15.01.2024 passed in Cr. Revision No. 123/2023 by the learned Additional Sessions Judge, Vth Jamui and further this Criminal Writ Application is being filed for giving order/ orders or direction/ directions commanding the Respondents to release the seized vehicle (Goods Carrier/ Truck) of the petitioner bearing Vehicle No. BR 34 G-3352 which has been illegally and arbitrary seized by the Respondents inspite of possessing of all the valid documents and sand Challan vehicle Registration and Receipt of Weighing of Dharam Kanta and the further giving order/ orders or direction/ directions commanding the Respondents to pay the compensation caused due to damaging of said vehicle, which has been kept in the open sky and decaying the said vehicle and for other losses of the petitioner incurred by the Respondents with interest.

3. Learned counsel for the Department of Mines has submitted that the fine of Rs. 2,77,625 has been imposed upon the petitioner for overloaded sand on the truck in question and if the fine will be deposited by him, the truck in question shall be released.



4. In view of the aforesaid submission, this application is disposed of with a liberty to the petitioner to deposit the amount of fine with the Mining Department and get the truck in question released.

(Sandeep Kumar, J)

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