

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.575 of 2025

Arising Out of PS. Case No.-366 Year-2024 Thana- AWTARNAGAR District- Saran

Randhir Ray Son of Bira Ray Resident of Village Akbarpur, PS Dariyapur,
Hewantpur, Distt.- Saran, 841221 (Bihar)

... .. Petitioner/s

Versus

1. The State Of Bihar Through Principal Secretary, Department Of Mines And Geology, Govt. Of Bihar Bihar
2. The Principal Secretary, Home Department, Govt. Of Bihar, Patna Bihar
3. The District Magistrate, Saran At Chapra Bihar
4. The Superintendent Of Police, Saran At Chapra Bihar
5. The Mineral Development Officer, Saran At Chapra Bihar
6. The District Mining Officer, Saran At Chapra Bihar
7. The Officer-In -Charge, Awatar Nagar Police, Saran At Chapra Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Abhishek Singh
For the Respondent/s : Mr. Naresh Dikshit

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 26-06-2025 Heard the learned counsel for the petitioner and the

learned counsel for the State.

2. This writ application is being filed for issuance of
an appropriate writ(s)/order(s)/direction(s) for the following
reliefs:-

*i. For issuance of writ in the
nature of "Mandamus" upon the concerned
respondents to release the seized truck of the
petitioner bearing registration number BR-
31GB-9218 which has been seized on
11.12.2024.*



ii). For issuance of writ in the nature of "Mandamus" commanding the respondents not to take coercive steps against the petitioner in pursuance of Awatar Nagar P.S. Case no. 366/2024 dated 11.12.2024 which was registered under sections 303(2), 317(2) of the B.N.S.iii. For issuance of an appropriate writ, direction, or order upon the respondents herein for staying the investigation and further proceedings pursuant to F.I.R. pertaining to Awatar Nagar P.S. Case no. 366 of 2024 dated 11.12.2024 registered under sections 303(2), 317(2) of the B.N.S.

3. 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 of Rs. 8,37,170/- in twelve equal installments as his financial condition has deteriorated due to the seizure of this truck.

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

5. The petitioner is permitted to pay the aforesaid amount of fine in twelve monthly installments.

6. 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. 8,00,000/- (rupees eight 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 twelve installments.

(Sandeep Kumar, J)

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