

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8217 of 2024

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Manish Kumar @ Manish Yadav S/o Bhola Yadav resident of village Mokari
Haridaspur, P.S.- Magadh University, District- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Mining Department,
Govt. of Bihar, Patna
2. The District Magistrate, Gaya,
3. The Superintendent of Police Gaya.
4. The Officer in charge, Magadh University, Police Station, Goya.
5. The District Mining Officer, Gaya, Dist. - Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha, Advocate
For the Respondent/s : Mr.Standing Counsel 25

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-01-2025 Learned counsel for the petitioner is directed to
implead the District Mining Officer, Gaya as party respondent
No.5 in course of the day.

2. Heard learned counsel for the petitioner, learned
counsel for the Mines Department and learned counsel for the
State.

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

(i) To issue an appropriate order/s, direction/s
including a writ preferably in nature of Mandamus commanding
the respondents to release the Mahindra Tractor bearing



Registration NO. BR02GB-3817, Chassis NO MBNABAVGAJRH02061 Engine No.RJH4YBA4625 in favour of the petitioner who is owner of the said Tractor seized in Magadh University P.S. Case No. 10/2004 registered under sections 379, 506 of LPC & S4(1)(AL 21 MDR. Act, 1957 & 11/18 (CPIMTS) Ruile 2019 and S. 56 (4) BM (CPIMTS) Rule 2021 & S. 15 Environment Protection Act, 1986 lying in the premises of Police station and subject to natural decay by furnishing sufficient penalty to the satisfaction of leamed District Magistrate, Gaya.

(ii) Any other relief's to which the petitioner is entitled in the facts and circumstances of the case.

4. A counter affidavit has been filed on behalf of respondent No.2 (Mines Department) that the petitioner may deposit the compounding amount before the authority concerned under Rule 56(2) of the Mines Rule he has also annexed the compounding amount. Learned counsel for the petitioner outrightly submits that the petitioner is ready to pay the compounding amount to the authority concerned under Rule 56(2) of the Mines Rule as fixed by the respondent No.5 in accordance with Rule.

5. In view of the aforesaid, this writ application



stands disposed of with direction to the petitioner to approach the respondent No.5 and requesting him that he is ready to pay the compounding amount in accordance with Rule and if the petitioner deposits the compounding amount as fixed by the respondent No.5, the respondent No.5 is directed to release the vehicle of the petitioner.

(Rajesh Kumar Verma, J)

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