

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10643 of 2024

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Soni Kumari Wife of Prabhat Kumar, Resident of Village- Kandaul, P.S.-
Hulasganj, District- Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary Department of Mines and Geology,
Government of Bihar, Patna.
2. The District Mining Officer, Nalanda at Biharsharif.
3. The Mines Inspector, District Mining Office, Nalanda at Biharsharif.
4. The officer-in-charge, Parwalpur, District- Nalanda.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Prasad, Advocate
For the Respondent/s : Mr. Standing Counsel -12

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

3 06-05-2025 Heard learned counsel for the petitioner and learned
counsel for the Mines Department.

2. The petitioner in the present writ application has
prayed for release of the truck of the petitioner bearing
registration no. BR30GA-6810 which has been seized in
connection with Parwalpur P.S. Case No.23 of 2024 dated
22.07.2024 registered under Section 186, 188, 201, 366, 379,
411, 420 and 341 of IPC.

3. From the aforesaid relief claimed by the petitioner
it is clear that the petitioner has only confined his relief to
release of the vehicle. The learned counsel appearing for the
Mines Department submits that the vehicle has been legally



seized because the vehicle was overloaded and it has been seized in accordance with law.

4. Without getting into the contentions of the parties, the petitioner prays that an appropriate direction be given to the petitioner to take steps before the Collector in confiscation case for release of the vehicle.

5. As prayed for by the petitioner, the petitioner is granted liberty to file an appropriate representation/application before the Collector, Nalanda in confiscation case for release of the vehicle which shall be disposed of in accordance with law after giving an opportunity of hearing to the petitioner.

6. If such an application is given by the petitioner in confiscation case, the Collector shall dispose of the same within four weeks from the date of the application presented before him. The order passed by the Collector shall be reasoned and speaking order.

7. With the aforesaid observations and directions, the present writ application is disposed of.

(Alok Kumar Sinha, J)

Prakash Narayan

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