

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15425 of 2025

Raushan Kumar Son of Arjun Singh, Resident of Village-Bhadeja, P.S.-Mufassil, District-Gaya, currently residing at Flat No. A-301, Manglik Apartments, Plot No. 25, Dwarka, Sec-6, South West Delhi, P.S.-Dwarka, Delhi-110075.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Home Department, Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The District Magistrate, Gaya.
4. The Senior Deputy Collector, Law and Order, Gaya.
5. The Deputy Collector, Gaya.
6. The Superintendent of Police, Gaya.
7. The Deputy Superintendent of Police, Gaya.
8. The District Transport Officer (Headquarter), Transport Department, Bihar, Patna.
9. The District Transport Officer, Gaya.
10. The Mines Commissioner, Government of Bihar, Patna.
11. The Superintendent of Police, Mines Department, Gaya.
12. The Mines Inspector, Gaya.
13. The Station House Officer, Muffasil Police Station, Gaya.
14. The Investigating Officer, Muffasil P.S. Case No. 947/2024, Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Niranjan Kumar
For the Respondent/s : Mr.Government Pleader (07)

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 18-11-2025 Heard the parties.

2. This writ application has been filed on behalf of the
petitioner for the following reliefs:-

*(i)For issuance of writ in the nature of
mandamus or any other writ/writs for directing and*



commanding the responsible respondent authorities to release the vehicles bearing (i) Mahindra 265 DI MKMDLX, Chassis No: MBNABACAA PRE13375. Engine No: RPE2BBN1412; (ii) Mahindra 265 DI MKM, Chassis No: MBNABACAAMR009245, Engine No: RMG2BBN1493) (iii) Mahindra 415 DI DLX, Chassis No: No AAVAPJRF02455, Engine RJF4YBA3734, (iv) Trailer, Chassis No: ST20211130, (v) Trailer, Chassis No: 420162017, in favour of the petitioner, which have illegally and arbitrarily been seized by the Police Personnel of Muffasil Police Station, Gaya from the parking of the petitioner having ulterior motive in connection with Muffasil P.S. Case No. 947/2024.

(ii) For issuance of writ in the nature of mandamus for directing and commanding the responsible respondent authorities to investigate into the matter with respect to the illegal seizure made by the Muffasil Police Station from the garage of the petitioner, in which all the aforesaid vehicles parked therein, besides this the same has illegally been seized by the police party in connection with Muffasil P.S. Case No. 947/2024 dated 24.10.2024 lodged under Sections 190/191(2), 192(3), 109, 303(2), 317(2), 317(4), 317(5), 111, 125, 132, 121(1), 121(2) of the BNS and under Section 27 of the Arms Act.

(iii) For issuance of writ in the nature of mandamus for directing and commanding the responsible respondent authorities to conduct the investigation in fair and partial manner and to take legal and appropriate immediate action against all the Responsible and guilt officials.



(iv) For issuance of writ in the nature of mandamus for directing and commanding the responsible respondent authorities to give the adequate compensation amount to the petitioner, which caused due to illegal seizure of the vehicles of the petitioner, due to which this petitioner and his family members are facing hardships towards their lives and fail to meet the basic necessities.

3. The petitioner is made accused in the aforesaid case and from reading of the same, it appears that the petitioner and others were involved in illegal mining and their tractor etc have been seized.

4. In the opinion of this Court, if the FIR has been registered then the petitioner ought to have moved to the Court of concerned Magistrate for release of the vehicles in question but the petitioner has moved this Court directly.

5. In view of the above, this writ application is filed prematurely and accordingly, this same is dismissed.

6. However, the petitioner is given liberty to move the concerned Court below for release of the tractors and trailers/vehicles in question.

(Sandeep Kumar, J)

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