

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15317 of 2025

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1. Ravindra Kumar S/o Siyaram Singh, R/o Village- Baghelwa Akhauripur, P.S.- Akhauripur, District- Buxar.
 2. Indrajit Verma, S/o Narain Verma, R/o Seorai, Sawrai, P.S- Gahmar, District- Ghazipur, Uttar Pradesh.
 3. Vishwajeet Verma, S/o Narayan Verma, R/o Village Satramganj Bazar, Sawari, P.S.- Gahmar, District- Ghazipur, Uttar Pradesh.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Mines and Minerals Department, Government of Bihar, Old Secretariat, Patna.
2. The Director, Mines and Minerals Department, Government of Bihar, Patna.
3. Deputy Director, Mines and Geology, Patna, Bihar.
4. The District Mining Officer, Rohtas at Sasaram Bihar.
5. The District Magistrate, Rohtas at Sasaram (Bihar).
6. The Superintendent of Police, Rohtas at Sasaram (Bihar).
7. Mining Development Officer, District Mining Officer, Rohtas, Sasaram.
8. The Mining Inspector, District Mining Department, Rohtas at Sasaram (Bihar).
9. The S.H.O, Kochas Police Station, P.S.- Kochas, District- Rohtas at Sasaram (Bihar).

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Ms.Dimpal Kumari, Advocate
For the Mine Department:		Mr. Naresh Dixit, Advocate
		Ms. Shruti Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 14-10-2025 Heard learned counsel for the petitioners; learned counsel for the State and learned counsel for the Mining Department.

2. On 16.06.2025, during course of vehicle checking, four trucks loaded with sand without valid challans were



intercepted. Subsequently, seizure list was prepared and on the basis thereof, Kochas P.S. Case No. 149 of 2025 dated 16.06.2025 was registered under Sections 303(2), 317(2) of the BNS and Section 194 of the Motor Vehicle Act.

3. It is submitted by learned counsel for the petitioners, that the petitioner no. 1 is the owner of the truck bearing registration no. BR-03GC-1479; petitioner no. 2 is the owner of truck bearing registration no. BR-44GA-5617 and petitioner no. 3 is the owner of the truck bearing registration no. UP-61BT-2642.

4. The Mining Department vide letters dated 18.07.2025 had imposed a fine on the aforesaid three trucks which is as under:

Letter No. / Date	Registration No	Fine imposed
Letter No 780, Dated 18.07.2025	UP-61BT-2642	Rs. 8,82,650/-
Letter No. 781, Dated 18.07.2025	BR-44GA-5617	Rs. 8,91,833/-
Letter No. 782, Dated 18.07.2025	BR-03GC-1479	Rs. 8,99,729/-

5. Learned counsel for the petitioners submits that the aforesaid impugned order has been passed without initiating confiscation proceedings under Rule 18 of the Bihar Minerals Rules, 2019 and the vehicles are languishing in open space



which is causing deterioration in the aforesaid vehicles. Further, it is submitted that the impugned order has been passed without hearing the petitioners. Any adverse order which is passed against the persons should be passed after hearing the petitioners and the present order is in complete violation of the principles of natural justice.

6. Having given a careful consideration, this Court deems it appropriate to quash the aforementioned demand and to remit this matter back to the respondent no. 4 for a fresh consideration. The same shall be decided afresh, after hearing the petitioners within two weeks from the date of receipt/production of a copy of this order.

7. In the meantime, the truck of the petitioners bearing Registration Nos. BR-44GA-8064, BR-03GC-1479, BR-44GA-5617, and UP-61BT-2642 respectively, shall be released in favour of the respective owners/ petitioners after they deposits a Bank guarantee for an amount of Rs. 8,75,000/- by each of the petitioners for release of their respective vehicles in the Department.

8. If the petitioners do not co-operate in the disposal of the proceedings, the Mines Department shall be at liberty to encash the Bank guarantee produced by the petitioners.



9. The petitioners will approach the authority along with a copy of this order and thereafter within two weeks, appropriate orders shall be passed.

10. This application stands disposed of.

(Sandeep Kumar, J)

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