

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.2403 of 2024

Arising Out of PS. Case No.-318 Year-2024 Thana- PARSA District- Saran

=====

Kumar Sandip S/o Anant Sahni Resident of Village- Bachhuman, P.S.-
Kudhani, District- Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna Bihar
2. The Additional Chief Secretary-cum-Mines Commissioner, Govt. of Bihar Patna
3. The District Magistrate-cum-Collector, Saran at Chhapra, Distt.- Saran Bihar
4. The District Mining Officer, Saran at Chhapra, Distt.- Saran Bihar
5. The Mining Inspector, Saran at Chhapra, Distt.- Saran Bihar
6. The S.H.O. of Parsa Police Station, Distt. Saran Bihar

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan No. Ii
For the Respondent/s : Mr.S.C.10

=====

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 26-06-2025 Heard the learned counsel for the petitioner and the

learned counsel for the State.

2. This application is directed for issuance of appropriate writ for direction to the respondents to release the Truck bearing Registration No. BR06 GD 5055, Chassis No. MBINACHD4JPYF3610 along with loaded sand thereupon measuring 794.25 cft in favour of the petitioner who is the legal owner of the truck in question.

3. The respondents have arbitrarily and illegally seized the Truck as well as the sand loaded thereupon against all



the legal norms in connection with Parsa P.S. case no. 318/24.

4. 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 i.e., Rs. 2,83,500/- approx in three equal installments as his financial condition has deteriorated due to the seizure of this truck.

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

6. The petitioner is permitted to pay the amount of fine in three monthly installments.

7. 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. 15,00,000/- (rupees fifteen 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 three installments.

(Sandeep Kumar, J)

Shishir/-

U			
---	--	--	--

