

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.2456 of 2024

Arising Out of PS. Case No.-404 Year-2023 Thana- BIHTA District- Patna

Rubi Devi Wife of Late Rajan Paswan Resident of Village- Painal, P.S.- Bihta,
Distt.- Patna

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. The Additional Chief Secretary-cum-Principal Secretary, Mines and Geological Deptt., Govt. of Bihar Patna
3. The Director , Mines and Geological Department, Governemnt of Bihar, Patna Bihar
4. The Chief Executice Officer, Bihar State Mining Corporation Ltd. Vikash Bhawan (New Secretariat), Baily Road, Patna-800015
5. The Administrative Officer, Bihar State Mining Corporation Ltd. Vikash Bhawan (New Secretariat), Baily Road, Patna-800015
6. The Mines Commissioner, Patna Division, Patna Bihar
7. The Collector/District Magistrate, Patna, District- Patna Bihar
8. The Superintendent of Police, Patna West, District- Patna Bihar
9. The District Mining Development Officer, Patna, District- Patna Bihar
10. The Mining Inspector, Patna, District- Patna Bihar
11. The S.H.O. Bihta Police Station, District- Patna Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha
For the Respondent/s : Mr. G.P.17
: Mr. Naresh Dikshit

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 24-06-2025 Heard learned counsel for the parties.

2. The present application has been filed for release of
SWARAJ 735 XT (Mahindra & Mahindra) Tractor bearing
Registration No. BR01GG-9982, Chassis No.
WZTH28428138751, Engine No. 39.1355/SZH08612 and its



Trailer bearing Registration No. BR01GG-9994, Chassis No.MGMA000772.

3. The tractor in question was caught doing illegal mining. The Mining Department has imposed a penalty of Rs.38,845/-, which has been deposited by the petitioner and the Mining Department has no objection if the tractor is released.

4. The tractor is in the name of the husband of the petitioner, who has died, and the objection raised by the learned counsel for the State is that the tractor has not been transferred in the name of the petitioner. The tractor can be transferred in the name of the petitioner only when it is physically produced before the authorities.

5. In these circumstances, the S.H.O. Bihta Police Station is directed to release the tractor forthwith on the personal surety of the petitioner.

6. With the aforesaid direction, this application is allowed.

(Sandeep Kumar, J)

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