

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1072 of 2026

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Shiv Kumar Mehta Son of Chhoti Mehta, R/O Bigha, Koderma, Phulwaria,
P.S. and District- Koderma (Jharkhand).

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Department of Mines and Geology, Government of Bihar, Patna.
2. The Secretary, Department of Mine and Geology, Government of Bihar, Patna.
3. The District Magistrate, Patna.
4. The Mineral Development Officer, District Mining Office, Patna.
5. The Mining Inspector, District Mining Office, Patna.
6. The Officer-in-Charge, Gopalpur Police Station, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajnikant, Advocate
For the Respondent/s	:	Mr. Anant Prasad Singh, SC-15
	:	Mrs. Deepika Sharma, AC to SC-15
For the Mines	:	Mr. Naresh Dikshit, Spl.P.P.
	:	Ms. Shruti Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 02-07-2026 Heard Mr. Rajnikant, learned counsel for the

petitioner, Mrs. Deepika Sharma, learned AC to SC-15 and Ms.

Shruti Singh representing the Mines Department.

2. The present petition has been preferred for the
following relief(s):

*“i. for issuance of writ in the
nature of "Mandamus" upon the concerned
respondents to release the seized vehicle
(Truck) of the petitioner bearing*



Registration No. JH-02BN-2055 which has been illegally seized on 20.08.2025 in Gopalpur P.S. Case no. 345/2025 without any notice or opportunity of hearing.

ii. For issuance of an appropriate writ or any other order or direction commanding the respondent authorities to release the vehicle (Truck) of the petitioner bearing Registration No. JH-02BN-2055.

iii. For direction to the respondent authorities to pay compensation to the petitioner for illegal confinement of his commercial vehicle.

iv. For issuance of such other order or direction as the petitioner may be found entitled to in the facts and circumstances of the instant case.”

3. The matter relates to the seizure of the vehicle having **Registration No. JH-02-BN-2055** which stands seized by the Mines Department under Gopalpur Police Station, Patna.

4. The claim of the respondent is that it was moving without any valid *challan*, a fact not disputed by the petitioner.



He further submits that the petitioner is ready to face the consequences but, for the present, he be allowed to ply the truck during the pendency of the proceeding as it is getting deteriorated day by day and he is also facing economic loss. The contention is that:-

(i) he shall not alienate the truck if relief is granted;

(ii) shall be produced as and when required by the respondent.

5. Further submission is that since he is under severe economic crisis, the payment part be reduced in three installments of :-

(i) Rs. 4,63,900/- at the time of release of the truck;

(ii) Rs. 2,00,000/- on or before 10th September 2026;

(iii) Rs. 2,00,000/- on or before 10th November 2026;

(iv) Failure to pay the amount, the respondent shall be free to seize the truck.”

6. Though the learned counsel for the Mines Department have reservation, submits that he is ready to pay the amount (though in installment), appropriate order can be passed.



7. Taking into account the aforesaid facts, the writ petition stands disposed of allowing the petitioner to pay the fine amount, as incorporated above, and failure to do so the respondents will be fully justified in again seizing the truck.

8. He is further required to produce the truck as and when required by the respondent-authorities and in no circumstance, will alienate the same during the pendency of the proceeding.

(Rajiv Roy, J)

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