

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1873 of 2026

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Firoj Alam Son of Shekh Nathuni, Resident of Village- Ashogi, P.S- Bargainiya, District-Sitamardhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary Cum Mines Commissioner, Mines Department, Government of Bihar, Patna.
2. The District Collector, Sitamardhi.
3. The Mining Development Officer, Sitamardhi.
4. The Mining Inspector, Sitamardhi.
5. The Officer-In-Charge, Bargainiya Police Station, Sitamardhi.
6. The Investigating Officer of Bargainiya, PS Case No 255 of 2025.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ritesh Kumar Sinha, Adv.
For the Respondent/s : Mr. Government Pleader (2)

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 09-04-2026 Heard Mr. Ritesh Kumar Sinha, learned counsel for the petitioner and Ms. Shruti Singh representing the Mines besides the State.

2. The present application has been preferred:

for issuance of a writ in the nature of Mandamus Commanding and directing the respondents authority to RegistrationN. release the Tractor bearing BR30GA6069,Chassis. NoT053522034KK, Engine No E 3586827 to the petitioner forthwith which was seized by the Officer In-charge Bargainiya Police Station. Sitamardhi and the Investigating Officer of



Bargainiya P.S.Case No-255 of 2025 in connection with Bargainiya P.S.Case No-255 of 2025 dated-24-12-2025 instituted under the Bihar Minerals (Concession prevention of illegal mining transportation and storage Rule 2019 and Amendment Act 2024, Rule 56(2), Section 21 of the MMDR Act and 303(2), 317, 318 of the BNS which is pending in the Court of learned C.J.M. Sitamarhi.

3. Learned counsel for the petitioner submits though the tractor bearing Registration No. BR-30-GA-6069 was seized during raid by the respondents under Bargainiya Police Station, Sitamarhi, neither the fine amount has been provided nor any other information given and he is suffering due to stranded tractor which is there under the sky, getting deteriorated.

4. Learned counsel representing the Mines Department submits that if the petitioner approaches the Mining Development Officer, Sitamarhi, appropriate steps shall be taken.

5. Having heard the parties, it is unfortunate that despite passage of three months and seizure of the vehicle, the respondents have not even provided the document to show whether during the pendency of the proceeding, the amount of



fine that the petitioner can pay so that he can get the tractor released as an undertaking has already been given that if such release order is passed, it will not be alienated and shall be presented as and when required.

6. In that background, the writ petition is disposed of directing the petitioner to approach the respondent no. 3, the Mining Development Officer, Sitamarhi in four weeks who shall be duty-bound to immediately take steps and provide documents/ fine amount and if such payment is made, to be released in his favour on undertaking given by him that it shall not be alienated and/or the vehicle will be presented when required.

7. Pending I.A(s), if any, also stands disposed of.

(Rajiv Roy, J)

Vijay Singh/-

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