

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2993 of 2025

Akta Devi Wife of Govind Kumar, Resident of Village- Chandmari, P.S.- Nagaland, District- Kohima, Nagaland. C/O- Govind Kumar Ulhas Srijan Pearl, P.S.- Bardhaman, West Bangal.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Home Department, Government of Bihar, Patna.
2. The Director General of Police, Government of Bihar, Patna.
3. The District Magistrate, Saran.
4. The Superintendent of Police, Saran.
5. The District Transport Officer, Saran.
6. The Sub-Divisional Police Officer, Mashrakh, Dist- Saran.
7. The SHO, Mashrakh Police Station, District- Saran.
8. The Investigation Officer, Mashrakh Police Station, District- Saran.
9. Ranjan Kumar Tiwari, Son of Virendra Tiwari, Resident of Village- Sevaraha Chowk, P.S.- Harsiddhi, District- East Champaran.
10. Rajiv Tiwari, Son of Virendra Tiwari, Resident of Village- Sevaraha Chowk, P.S.- Harsiddhi, District- East Champaran.
11. Vyas Ray, Son of Ramdas Ray, Resident of Village- Dariyavganj, P.S.- Chapra Muffasil, Dist- Saran.
12. Chandraket Kumar, Son of Sri Ravindra Prasad Sharma, Resident of Village- Subhash Nagar, P.S.- Sadar Muzaffarpur, Dist- Muzaffarpur.
13. The State of Bihar its Director Mines and Geology Department, Govt. of Bihar.
14. Mineral Development Officer, District Mines Office, Saran.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Vasant Vikas, Advocate
	:	Mr. Saroj Kumar, Advocate
	:	Mr. Pranoy Kumar, Advocate
For the State	:	Mr. Government Pleader (27)
For the Mines Dept.	:	Mr. Naresh Dikshit, Spl. PP Mines
	:	Ms. Shruti Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

5 02-04-2026 Heard Mr. Saroj Kumar, learned counsel for the

petitioner and Ms. Shruti Singh, learned counsel representing



the Mines Department as also learned State counsel.

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

“(i) to issue an appropriate writ/writs, order/orders or direction/directions in the nature of mandamus for directing the respondent authorities to release the vehicle bearing Registration No. NL 01K 5234 (12 wheeler) Truck in favour of the petitioner.

(ii) to issue an appropriate writ/writs, order/orders or direction/directions in the nature of mandamus for directing the respondent authorities to take appropriate action against the persons who have fraudulently secured the release of the vehicle bearing Registration No. NL 01K 5234 (12 wheeler) Truck by impersonating the petitioner and the aforementioned vehicle belongs to the petitioner.

(iii) to issue appropriate writ/writs, order/orders or direction/directions in the nature of mandamus directing the respondent authorities to pay compensation of Rs. 75000/-



per month to the petitioner from the date of application filed by the petitioner for release of the aforementioned seized vehicle as the petitioner is suffering huge losses.

(iv) to issue appropriate writ/writs, order/orders or direction/directions in the nature of mandamus to dispose the application dated 14.06.2023 filed by the petitioner for release of her vehicle bearing Registration No. NL 01K 5234 (12 wheeler) Truck before the Ld. Court of Anand Prasad, JM-Ist Class, Saran at Chapra.

(v) for other relief/reliefs to which the petitioner may be found to be legally entitled too.”

3. The writ petition was preferred for a direction upon the respondent to release the Truck having Registration No. NL 01K 5234. It was seized at Bangra during the sudden inspection and it was found to be over loaded/without any challan. This led to the Mashrak P.S. Case No. 62 of 2023.

4. As the story unfolds, on 19.09.2024, the Additional Chief Judicial Magistrate, Chapra took note of the fact that earlier in the presence of the vehicle owner and on the bond so



submitted, the Truck was released but later the owner, Akta Devi came forward and submitted that some impostor has taken away the Truck. Accordingly, the learned Judicial Officer gave direction for taking appropriate steps against those who submitted the bond, the non-bailable warrant was also issued but the record shows that the S.H.O., Mashrak, Saran has not taken steps.

5. The matter was thereafter adjourned on 14.11.2024, 17.12.2024 and lastly on 10.10.2025 by the learned Judicial Officer but no step was taken by the concerned S.H.O..

6. The stand of the respondent Mines Department is/are that the Truck already has been released though the case of the petitioner is that some impostor took it away.

7. Having heard the parties, this Court has taken note of the fact that the Additional Chief Judicial Magistrate, Chapra has taken note of the fact and from the record, it further emanates that the Police has shown no interest to book the guilty and bring them back to the court.

8. In that background, the Senior Superintendent of Police, Saran at Chapra is directed to look into the matter and in turn direct the Deputy Superintendent of Police of (under whose area the Mashrakh Police Station falls to ensure that the



S.H.O., Mashrakh takes up the matter seriously and bring the culprits to the book immediately by producing them before the learned Additional Chief Judicial Magistrate, Chapra so that he/she can pass judicial order thereafter.

9. The writ petition stands disposed of in view of the fact that the Truck no longer remains with the respondents Mines Department, Bihar rather has been taken away by the impostor.

10. Let a copy of the order be sent to the office of Senior Superintendent of Police, Saran at Chapra for perusal and immediate action.

(Rajiv Roy, J)

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