

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1772 of 2026

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Manoj Kumar S/o Maharaj Mahato Resident of Village- Pathara, P.S.-
Tilauthu, District- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Mines and Geology, Government of Bihar, Patna.
2. The District Magistrate, Rohtas, Sasaram.
3. The Mineral Development Officer, Rohtas, Sasaram.
4. The Officer In-Charge, Tilauthu Police Station, District- Rohtas.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Bhaskar Shankar, Adv.
For the Respondent/s	:	Mr. Vivekanand, AC to G.P. 18
For the Mines	:	Mr. Naresh Dikshit, Spl. P.P. Mines

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 09-04-2026 Heard Mr. Bhaskar Shankar, learned counsel for the

petitioner and Mr. Naresh Dikshit, learned Spl. P.P. Mines.

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

*(i) Issue a writ in the nature of
Mandamus commanding the respondents to
release the seized bearing Registration Truck
No. JH02AK0183 of the petitioner forthwith,
during pendency of confiscation/penalty
proceedings, on such terms and conditions as
deemed fit.*

*(ii) Issue a writ in the nature of
Mandamus declaring the action of the
respondents in directing continued detention of
the petitioner's vehicle vide Letter No. Camp*



01 dated 10.09.2025 as illegal, arbitrary and without authority of law;

(iii) Issue a writ in the nature of Mandamus directing the respondents not to take any coercive action against the petitioner pursuant to the impugned proceedings;

(iv) Grant liberty to the respondents to proceed afresh strictly in accordance with law after issuing proper show cause notice and granting personal hearing to the petitioner;

(v) Pass such other order or orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.

3. The matter relates to confiscation of truck bearing Registration No. JH-02-AK-0183 which was intercepted under Tilauthu Police Station, Rohtas on 10.09.2025 and has been seized for overloading.

4. Learned counsel for the petitioner submits that he shall be fighting the battle out in the Court but the seizure of vehicle has put him in economic crisis and even the condition of the truck is deteriorating, it being kept in the open sky. He is ready to pay the amount under protest but since he do not have means to earn money, it be allowed to be paid in two installments as the total amount is Rs. 8,90,167/-. Learned counsel for the petitioner further submits that during the pendency of the proceeding, the truck shall not be alienated and will be produced as and when required by the respondent authorities.



5. Learned Spl. P.P., Mines submits that if the petitioner is ready to pay the fine amount in two installments, the truck shall be released subject to the proceeding to be continued.

6. In that background, with the consent of the parties, the writ petition is disposed of allowing the petitioner to approach the District Mining Officer, Rohtas in next one week who shall be taking up the matter and on the first installment payment of Rs. 4,90,167/-, shall release the truck with an undertaking given by the petitioner that he shall be paying the rest of the amount within a period of four weeks thereafter. Failure to pay the second amount of Rs. 4,00,000/- within four weeks, the respondents shall be free to take immediate steps for the seizure of the truck.

(Rajiv Roy, J)

Vijay Singh/-

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