

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2771 of 2026

Radhe Shaym @ Radheshaym Keshari S/o Gopal Prasad, R/o village Vaini,
P.O. Pauni, P.S. Robertsganj, District Sonbhadara, Utter Pradesh.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Kaimur at Bhabua.
2. Police Superintendent of Kaimur at Bhabua.
3. The Addl. Collector, Kaimur at Bhabua.
4. Sub-Divisional Officer, Bhabua, Kaimur.
5. District Mines Officer, Kaimur at Bhabua.
6. Mines Development Officer, Kaimur at Bhabua.
7. Station Head of Adhaura Police Station, Kaimur at Bhabua.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Tribhuwan Narayan, Advocate
For the Respondent/s	:	Mr. Government Advocate 10
For the Mines	:	Mr. Naresh Dikshit, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-04-2026 Heard Mr. Tribhuwan Narayan, learned counsel

for the petitioner, the State as also learned Spl.P.P. Mines,

Mr. Naresh Dikshit.

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

*“for issuance of writ in nature or
mandamus or any appropriate writ/ writ to
direct the respondent authorities to release the
vehicle Truck 16 wheelers (Highva) bearing
registration No. UP64BT-1348, chassis No.*



MAT808020LIP09479 and Engine No. B67B6A250D02102M64131551 which was been seized in connection with Adhoura P.S. Case No. 106 of 2025 for the offence alleged under section 303(2), 317(2) of B.N.S and section 56 of Bihar Mineral (prevention of illegal Mining, Transportation and storage) Rule 2019 and 4(1) (A) of Mines and Minerals Development Regulation Rule-1957.”

3. A sixteen wheeler truck having Registration No. UP-64-BT-1348 was intercepted and seized on 14.12.2025 and the reason has been recorded in the counter-affidavit is that it is found loaded with sand causing loss of revenue amount of Rs. 9,87,338/-. It was accordingly seized and resulted into the present case.

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 due to it being kept in the open sky and is ready to pay the amount, under protest.



5. Learned counsel for the petitioner further submits that since he do not have means to earn money and he is facing economic crisis, the amount of Rs. 9,87,338/- be bifurcated in two parts inasmuch as:

“(i) he is ready to pay Rs. 5,87,338/- at the time of the release of the truck;

(ii) Rs. 4,00,000/- within a period of thirty days from the date of release of the truck;

(iii) Failure to pay the rest of the amount of Rs. 4,00,000/-, the respondent shall be free to take immediate steps for the seizure of the truck.”

6. Further, if the truck is released he shall:

“(i) not alienate the truck in any manner till the disposal of the cases;

(ii) shall be producing the truck as and when required by the respondent no. 5.”

7. Learned Spl.P.P. Mines submits that if he is ready to make the payment, the respondents shall be taking steps for the release of the truck.

8. Considering the aforesaid facts and in view of the positive stand taken by the petitioner, the writ petition



stands disposed of allowing the petitioner to pay the amount of Rs. 9,87,338/- in two installments, as recorded above, and shall also be submitting an affidavit about the undertaking that has been made before this Court and recorded in the aforesaid paragraph.

(Rajiv Roy, J)

Adnan/-

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