

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3251 of 2026

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Jitendra Ray Son of Jagadish Ray, Resident of village- Chamtha Goptol, P.S.-
Bachhwara, District- Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of
Mines and Geology, Government of Bihar, Patna.
2. The Mines Director, Government of Bihar, Patna.
3. The Mines Commissioner, Government of Bihar, Patna.
4. The District Magistrate, Arwal.
5. The District Mining Officer, Arwal.
6. The Mineral Development Officer, Arwal.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Amit Kumar, Advocate
For the Respondent/s : Mr.Government Pleader (7)

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 02-04-2026 Heard the parties.

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

*(i) for issuance of an appropriate writ in the
nature of MANDAMUS or any other writ(s),
order(s), direction(s), command(s) for
directing the respondents to release the
vehicle truck (commercial) bearing
Registration No.BR09GA6541, Chasis No.
MAT541068J1J29360, Engine
No.ISBE5.91804081363732058 in favour of*



the petitioner.

3. The matter relates to seizure of a vehicle (Truck) bearing registration no. BR09GA6541 which was intercepted/seized by the District Mining Officer, Arwal on the ground of overloading. Though, the order of the District Mining Officer, Arwal is unavailable.

4. Learned counsel for the petitioner has drawn attention to the e-challan issued on the same day to show that penalty amount is Rs. 8,18,594/-.

5. Reserving his right to agitate the matter in accordance with law, since the truck is stationed under an open sky and it will deteriorate further, he is ready to pay Rs. 8,18,594/-. However, the submission is that since the truck is idle, he has economic problem, be allowed to pay in two instalments inasmuch as:

(i) Rs.5,18,594/- through Demand Draft issued by the local branch of the State Bank of India at the time of release of the truck;

(ii) rest Rs. 3,00,000/- by way of same Demand Draft within a period of four weeks;



(iii) failure to pay the rest of Rs.3,00,000/-, the authority shall be free to take immediate steps for seizure of the vehicle in question.

6. Learned counsel representing the Mines Department do not object to it and rightly so as keeping the truck under an open sky till the proceeding is over will not benefit anyone.

7. In that background and in view of the limited prayer put forward by the petitioner through its learned counsel, the writ petition is disposed of directing the respondents to release the truck subject to the conditions undertaken (and recorded in paragraph-5) is fulfilled.

(Rajiv Roy, J)

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