

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3560 of 2026

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Santosh Pandit S/o Vijay Pandit Resident of Vill.- Maheshpur Panchayat,
Domchanch Purvi, Post- Domchanch Thana, Koderma, Jharkhand- 825418.

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary, Department of Mines and Geology, Govt. of Bihar, Patna.
2. The Secretary, Department of Mines and Geology, Govt. of Bihar, Patna.
3. The District Magistrate, Saharsa.
4. The Mineral Development Officer, District Mining Office, Saharsa.
5. The Mining Inspector, District Mining Office, Saharsa.
6. The Officer-in- Charge, Balwahat Police Station, District- Saharsa.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajnikant, Adv.
For the Respondent/s	:	Mr. Government Pleader (13)
For the Mines	:	Mr. Naresh Dikshit, SPL P.P. Mines

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 14-05-2026 Heard Mr. Rajnikant, learned counsel for the

petitioner and Ms. Shruti Singh for the Mines and Ms. Shweta

Anand for the State.

2. The present application has been preferred for the
following relief/reliefs:

*i. for issuance of a writ in the
nature of Certiorari for quashing the illegal
seizure memo dated 27.01.2026 bearing
number 01/M/Balwahat issued by the Mines
Inspector, District Mining Office, Saharsa
whereby the petitioner's truck bearing
Registration No. WB51C0193 was illegally*



seized despite having a valid transport challan and complete documentation.

ii. For issuance of a writ of Mandamus directing the Respondents to immediately release the seized vehicle bearing Registration No. WB51C0193.

iii. For issuance of appropriate direction commanding the Respondents to pay compensation for illegal detention of the commercial vehicle.

iv. For any other relief(s) to which the petitioner is entitled in the eye of law.

3. The petitioner is owner of a truck having registration no. WB-51-C-0103. The case is that he purchased Stone Dust from M/s Five Star, Stone Works, Pakur and was being taken to West Champaran for a consideration amount of Rs. 6,615 (Annexure P/3 to the petition).

4. The challan was issued in this regard by the said company which clearly shows that it was issued on 26th January 2026 at 6:42 PM and was valid up to 27th January 2026 up to 11.05.30 PM (Annexure P/4 to the petition). While moving from Jharkhand to Bihar, it was intercepted in the district of Saharsa under the Balwahat Police Station and it was found that against the details in the said receipt/challan of the truck being loaded with Stone Dust, actually Stone Chips were there.



Accordingly, it was seized, seizure list dated 27.01.2026, prepared and handed over to the petitioner (Annexure P/5 to the petition).

5. Aggrieved, the present petition.

6. Learned counsel for the petitioner submits that a perusal of the document would show that it was a valid transaction/valid challan on the basis of which the movement took place and intercepted at 27.01.2026 at 7:40 AM and as such, it was well within the challan period.

7. The counter affidavit has come on behalf of the Mines Department and learned counsel has taken this court to paragraph 9 to support the said seizure that instead of Stone Dust, the truck was loaded with Stone Chips and it being illegally transported, the truck was seized. As such, the writ petitioner is fit to be dismissed.

8. Having gone through the facts of the case and the contention of the parties, on query, there is no answer how the Stone Dust turned into Stone Chips. This Court has taken note of the contents of the writ petition and nowhere any high handedness on the part of the respondents have been alleged. Seizure of the truck though is within the time granted in the challan, the fact remains that both the purchase and the challan



shows it to be a Stone Dust and not Stone Chips.

9. In that background, no case is made out. The writ petition is dismissed. The parties are at liberty to take the proceeding relating to the seizure of the truck to its logical conclusion at an earliest.

10. Nothing recorded in the present order will be taken note of when the proceeding takes place which shall be decided on the basis of the submission/facts/materials that will be available before the authority concerned.

(Rajiv Roy, J)

Vijay
Singh/Sanny Patel

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