

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3586 of 2026

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Hitesh Singh Son of Rajesh Kumar Singh, Resident of Village-Chari, P.O. Chiraigaon, P.S.- Kandwa, District- Chandauli, (U.P.)

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary (ACS), State Mining Deptt. Govt. of Bihar, Patna
2. The Secretary, State Mining and Geology Department, Govt. of Bihar, Patna.
3. The Collector cum District Magistrate, District-Rohtas at Sasaram.
4. The District Mining Officer, District- Rohtas at Sasaram.
5. The Mining Inspector, District Mining Office Rohtas at Sasaram.
6. The S.H.O., Police Station Chenari, District-Rohtas at Sasaram.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Ramchandra Singh, Advocate
For the Respondent/s	:	Mr.Government Advocate 02
		Mr. Akhileshwar Singh, AC to GA-2
For the Mines	:	Mr. Naresh Dishit, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 18-06-2026 Heard the parties.

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

“ that this is an application for quashing the letter dated 09.01.2026 issued by the Mining Inspector, Rohtas, Sasaram, in which he has seized the Truck of the petitioner, for issuance of writ in the nature of certiorari as well as for issuance of writ in the nature of Mandamus, or any other writ/writs or



*direction/ directions to the respondents to
release seized Truck in question bearing,
Registration No. BR24GC9562, Engine No.
42E95467336 and Chassis No.
MAT828048RAE07760 to the petitioner.*

3. The petitioner is the owner of the truck bearing Registration No. *BR24GC9562* and the contention is that on the basis of valid challan, it was moving along with the sand from Aurangabad to Varanasi.

4. The contention in the writ petition is that it was intercepted in the district of Rohtas and found to be overloaded inasmuch as the authorities recorded it to be sand loaded to the tune of 58075 kgs. Accordingly, following the procedure of seizure took place.

5. Learned counsel for the petitioner submits that it was moving on a valid challan dated 09.01.2026 (10:03 A.M.) and valid till 10.01.2026 (10:03 A.M.) and the quantity was 39440 and not what has been recorded.

6. Further submission is that the seizure took place in the month of January, 2026 and they have not even provided the document to show what is the fine amount so that he could while ensuring the right to contest the matter, pay the same and



get the truck released so that his business be continued and the condition of the truck is not deteriorated. He next submitted that if the truck is released;

(i) it will not be alienated;

(ii) it will be produced as and when required by the authorities.

7. The contention is that the District Mining Officer, Rohtas at Sasaram has illegally detained the truck, despite the application preferred has not even provided the fine amount and in the process, the truck is getting deteriorated day by day.

8. Learned counsel representing the Mines Department concedes that the documents do not show the fine amount and immediate steps shall be taken by the concerned authority.

9. Having heard the parties, this Court can only observe that it is unfortunate that a truck has been seized in the month of January, 2026, we are in the month of June, 2026. The respondent. District Mining Officer Rohtas at Sasaram (respondent no. 4) has not even followed the legal procedure while seizing the truck, inasmuch as, if the contention of the petitioner is to be believed, no fine amount has been provided.

10. In that background, instead of summoning the



concerned officer and/or asking him/her to file affidavit, it would be appropriate that the writ petition is disposed of allowing the petitioner to District Mining Officer, Rohtas at Sasaram within a period of one week who shall be taking up the matter and shall ensure that the petitioner is made known the fine amount so that he can pay and get the truck released with the following condition:

(i) it will not be alienated;

*(ii) it will be produced as and
when required by the authorities.*

11. The writ petition stands disposed of with the aforesaid observation.

(Rajiv Roy, J)

Ravi/Shivangi

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