

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4850 of 2026

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Nisha Devi (Owner of Tipper Truck No. BR09GA-7990) W/o - Ranjit Kumar Arya, R/o Ward No. 13, Vill - Narayanpipar, Pansalla, PS Chhourahu Dist.- Begusarai, Bihar 848202.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Department of Mines and Geology, Government of Bihar, Old Secretariat, Patna.
3. The Director, Department of Mines and Geology, Government of Bihar, Old Secretariat, Patna, PIN - 800001.
4. The Collector-cum-District Magistrate, District- Begusarai.
5. The Superintendent of Police, District - Begusarai.
6. The Additional District Magistrate, Begusarai.
7. The District Mining Officer, District - Begusarai.
8. The Mining Inspector, District Mining Office, Begusarai.
9. The SHO/Thana-In-Charge, P.S. Chhaurahi, District Begusarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Bhubneshwar Mahto, Adv.
For the Respondent/s	:	Mr. Rajeshwar Singh, G.A.-10
		Mr. Jitendra Kumar, A.C to G.A.-10

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 18-06-2026 Heard Mr. Bhubneshwar Mahto, learned counsel for the petitioner and Naresh Dikshit for the Mines as also learned counsel for the State.

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

a. For issuance of an appropriate writ/order/direction in the nature of mandamus to the Respondents to release the



Tipper Truck (Registration No. BR09GA-7990), lying under illegal detention and custody of Respondent No.9, the SHO/Thana-In-Charge, P.S. Chhaurahi, District -Begusarai, Bihar.

b. For quashing the illegal seizure of the petitioner's vehicle made in connection with the FIR registered by the Mining Department.

C. For the issuance of a direction that no coercive action is to be taken either against the tipper truck in question till disposal of the case.

d. For the grant of any other relief/s for which the Petitioner has been found entitled in the eye of the law.

3. The petitioner wants to release Tipper Truck bearing Registration No. BR-09-GA-7990 which stands seized under Chhaurahi Police Station under the District of Begusarai as the District Mining Officer Begusarai founds 20 CFT earth soil on it.

4. Learned counsel for the petitioner submits that it was an empty Tipper but illegally has been seized. The submission is that he is ready to face the battle but the seizure has led the family to financial crisis since last one year and the District Mining Officer, Begusarai has not even come forward



with any fine amount so that the same could be paid and the Tipper Truck gets released. The last submission is that since the Truck is under the sky in the Police Station, the fine amount which the respondents may disclose, the same be allowed to be paid in three installments

5. Learned Special P.P. for the Mines though supports the respondent theory acknowledges that in such cases, the seizure authority must record the fine amount so that if the aggrieved party is ready to get the vehicle released can make the payment. The submission is that he has taken note in number of such cases and shall be apprising the department in this regard so that a formal letter is issued to the District Mining Officer across the State to ensure that along with the seizure list, the fine amount be also disclosed.

6. Learned counsel for the petitioner undertakes:

- i. not to alienate the truck;*
- ii. to produce it as and when required by the respondent authorities.*

7. In that background, instead of keeping the case pending, the writ petition is disposed of allowing the petitioner to approach the District Mining Officer, Nawada along with the order and the concerned officer shall be duty bound to provide the fine amount which shall be paid and the truck be released



thereafter, subject to be legal formalities that has to be completed by the petitioner with the respondents. Since the truck has been seized, this Court accepts the contention put forward by learned counsel for the petitioner that the family is facing financial crisis and as such, the amount that is to be presented, it be allowed to be paid in three installments.

(Rajiv Roy, J)

Vijay
Singh/Munindra
kumar sahu

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