

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5082 of 2026

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Santosh Kumar Son of Rajendra Ray, Resident of Village- Murhar, Rup Chapra, Police Station- Sahebganj, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Director, Mines and Geology Department, Government of Bihar, Patna.
3. The District Magistrate, Nawada, Bihar.
4. The Superintendent of Police, Nawada, Bihar.
5. The Mines Inspector, Mines and Geology Department, Nawada, Bihar.
6. The SHO, Nemdarganj Police Station, Nawada, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Deepak Kumar, Adv.
For the Respondent/s	:	Mr. Rajesh Kumar Sinha, AC to GP-23
For Mines Department	:	Mr. Naresh Dikshit, Spl. P.P. Mines
	:	Ms. Shruti Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 18-06-2026 Heard Mr. Deepak Kumar, learned counsel for the
petitioner and Mr. Naresh Dikshit, learned Spl. P.P. Mines.

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

*(i) for issuing a writ of Certiorari
or any other appropriate writ quashing the
illegal seizure of the vehicle of the petitioner
bearing Registration No.- UP-53-ET-1687,
which has been illegally seized on
15.02.2026 by the respondent.*

*(ii) For issuance of a writ of
Mandamus directing the immediate release*



of the seized vehicle which was seized without following due process of law.

(iii) For directing an independent enquiry of the illegal and coercive actions of police officials of Nemdarganj police station, Nawada as well as officials of Mines & Geology Department, Nawada.

(iv) For grant of any relief/s as petitioner may be found entitled in the facts and circumstances of the present case.

3. The matter relates to the seizure of truck bearing Registration No. UP-53-ET-1687, seized on 15.02.2026 under the Nemdarganj Police Station in the District of Nawada on the ground of overloading of coal.

4. Learned counsel for the petitioner submits that he was moving on valid challan but intercepted and seized. The truck is getting deteriorated day by day and though he is ready to face the legal battle, in view of the fact that no fine amount has been disclosed, is further unable to make the payment and get the Truck released.

5. Learned Special PP for the Mines submit that if the petitioner approaches in the next four weeks, the concerned Officer shall be providing the details and if he is ready to make the payment, the Truck shall be released subject to conditions.

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 disclose 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.

8. 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 equal installments.

9. The writ petition is disposed of with the aforesaid observation.

(Rajiv Roy, J)

Vijay Singh/-

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