

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6047 of 2026

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Yaugesh Kumar Son of Niranjan Yadav, Resident of Village- Dira Chandpur,
Post- Chandpur, Police Station- Pothiya, District- Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Mines and Geology Department, Gov. of Bihar, Patna.
2. Principal Secretary, Mines and Geology Department, Government of Bihar, Patna.
3. The District Magistrate-cum-Collector, Samastipur.
4. The District Mining Officer, Samastipur.
5. The Assistant Director, District Mining Office, Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mrs. Riya Bhawna, Adv.
For the Respondent/s : Mr. Government Advocate (11)

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 18-06-2026 Heard Mrs. Riya Bhawna, learned counsel for the

petitioner and the State.

2. The present application has been preferred:

*for quashing the impugned demand
notice letter no. 154 dated 11.02.2026 imposing
penalty of Rs.8,85,200/- and stay the operation
of the impugned notice during pendency of this
writ application.*

3. The petitioner is the owner of sixteen wheels truck bearing Registration No. BR-11-GF-0247 and the contention is that on 21.01.2026, after obtaining a valid challan, departed from Mirzapur Chowki with stone chips and was destined for Aurangabad. However, it got struck in traffic jam between Mirza chowki,



Bhagalpur and Kahalgaon and further, the vehicle also got breakdown and as a result, there was delay in movement which allowed the respondents to intercept, seize and impose a fine.

4. The contention is that the petitioner is a very poor person, got loan for purchase of the truck and when it is now under seizure, he is unable to even pay the loan amount, not to speak about the financial crisis the family is facing. The submission is that he is ready to fight the legal battle but release of truck is essential for his family and as such, sympathetic consideration be given to make the payment in small installments so that once the truck is released, he can generate revenue and pay both the Bank as also the respondents' installments.

5. Learned counsel for the petitioner undertakes:

i. not to alienate the truck;

*ii. to produce it as and when required
by the respondent authorities.*

6. A counter affidavit has come on behalf of the respondent nos. 4 and 5 and they have reasoned out why the truck has been seized.

7. This Court is not going into the merit of the case and it is for the petitioner and the respondents to initiate/ conclude the proceeding. So far as the truck is concerned, admittedly, keeping it under the sky for deterioration will serve no purpose either for the petitioner and/or for the respondents. On the other hand, if it is released in favour of the petitioner, he can generate revenue and can



make payment.

8. In that background, with the consent of the parties, the writ petition is disposed of allowing the petitioner to approach the respondents in next eight weeks and he shall be providing a Demand Draft issued by the State Bank of India for Rs. 1,85,200/- and once the legal formalities are completed and the truck is released, the petitioner is duty-bound to pay the rest of the seven lakhs in seven equal installments starting 10.09.2026 and ending 10.02.2026.

9. It is made clear that if the petitioner fails to pay the fine amount, the respondents shall be free to take steps for seizure of the truck once again. It is further made clear that the petitioner shall not alienate the truck and the same shall be produced as and when required by the respondent authorities.

10. With the aforesaid observation, the writ petition is disposed of.

(Rajiv Roy, J)

Vijay Singh/-

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