

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6598 of 2026

Radha Raman Mishra Son of Ghanshyam Mishra, Resident of Village-
Masinghpatti, Police Station- Industrial Area Buxar, District - Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary Mines and Minerals Department,
Government of Bihar at Patna.
2. The Director Mines and Mineral Department, Government of Bihar at Patna.
3. The District Magistrate, District Bhojpur at Ara.
4. The District Mining Officer cum Mine Development Officer, District
Bhojpur at Ara.
5. The Mining Inspector, District Bhojpur at Ara.
6. The Senior Superintendent of Police, District Bhojpur at Ara.
7. The Officer in Charge of Jagdishpur Police Station, District Bhojpur at Ara.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Niraj Kumar Singh, Advocate
For the State	:	Mr. Standing Counsel (16)
For the Mines Dept.	:	Mr. Naresh Dikshit, Spl. PP Mines
	:	Ms. Shruti Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 18-06-2026 Heard Mr. Niraj Kumar Singh, learned counsel for

the petitioner and Ms. Shruti Singh, learned counsel
representing the Mines Department as also learned State
counsel.

2. The present petition has been preferred for the
grant of following relief(s):

*“(i) for issue a writ most probably of
the nature of Mandamus directing the respondent
authorities to release the vehicle (Truck) bearing*



*registration no.-BR44GA0960, Chassis no.-
MAT541089J1 K30626.*

*(ii) for grant of any other relief/reliefs
for which Petitioner is found entitled under the
fact and circumstances of the case.”*

3. The petitioner has come for the release of the Truck having registration no.-BR-44-GA-0960 (Chasis no.-MAT541089J1 K30626) which stands seized by the respondent authorities and presently lying in Jagdishpur Police Station in the district of Bhojpur.

4. The allegation against the driver/Truck is/are that when intercepted, the challan was not produced and driver chose to escape. Further, against the registration no. BR-44-GA-0960, the registration plate that was present on the body of the Truck recorded as BR-44-GA-0348. Accordingly, seizure took place on 18.05.2025.

5. Aggrieved, the present writ petition.

6. Learned counsel for the petitioner has taken this Court to the certificate of registration issued by the Bihar Government to show that he owns the Truck having registration no. BR-44-GA-0960 and Chasis No. MAT541089J1 K30626. The submission is that some confusion took place between the



respondent authorities and the driver which led to the F.I.R. He is ready to pay the fine but the seizure of the Truck for last one year has led to financial crisis in the family.

7. The submission is that he be allowed to pay the fine amount in installment inasmuch as once the Truck is released, starts plying on the road, he will have financial gain and shall be able to pay the fine amount. The last submission is that the petitioner:

(i) shall not alienate the Truck;

(ii) shall produce it as and when required by the respondent authority.

8. Learned counsel for the Mines Department though opposes the prayer concede that the legal battle will take long time and deterioration of Truck will serve no purpose.

9. This Court has taken note of the submission of learned counsel for the petitioner that, due to the seizure of the truck, the family is facing financial hardship and that, while reserving his right to contest the matter in accordance with law, he may be permitted to pay the fine amount in installments.

10. In that background and after hearing the parties, the writ petition is disposed of with the observation that if the petitioner is ready to fine amount and shall be fulfilling the legal



obligation as the production of Truck is concerned, the same be released and the payment is to be made in following manner:

“(i) Rs.2,79,688/- at the time of the release of the Truck;

(ii) Rs.2,00,000/- by 10th September, 2026;

(iii) Rs.2,00,000/- by 10th November, 2026;

(iv) Rs.2,00,000/- by 10th January, 2027;

(v) in case of default of payment, the respondent department shall be free to take steps for the seizure of the Truck.”

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

(Rajiv Roy, J)

vinayak/-

U			
---	--	--	--

