

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7753 of 2026

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Bablu Singh Son of Krishna Singh, Resident of Village- Dharupur, Police Station-Bikramganj, District- Rohtas, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Mines and Geology Department, Government of Bihar, Patna.
3. The District Magistrate, Kaimur (Bhabua), Bihar.
4. The Superintendent of Police, Kaimur (Bhabua), Bihar.
5. The Officer-in-Charge, Mohania Police Station, District- Kaimur (Bhabua).
6. The District Mining Officer, Kaimur (Bhabua), Bihar.
7. The Mining Inspector, Kaimur (Bhabua), Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar Mishra, Advocate
For the Respondent/s	:	Mr. Additional Advocate General (7)
For the Mines	:	Mr. Naresh Dikshit, Spl.P.P.
		Ms. Shruti Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 02-07-2026 Heard Mr. Ashok Kumar Mishra, learned counsel for the petitioner and Ms. Shruti Singh representing the Mines Department beside the State.

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

“(i) Issuance of an appropriate writ/s order/s or direction/s, particularly in the nature of writ of MANDAMUS, commanding and directing the Respondent Authorities for provisional release of the petitioner's truck bearing Registration No. BR24GD4906, Engine No. 52F64489320 and



Chassis No. MAT828113SAG11627 which was seized on 16.04.2026 in Mohania Police Station Case No. 262 of 2026 dated 16.04.2026.

(ii) Issuance of an appropriate writ/s, order/s or direction/s, particularly in the nature of writ of CERTIORARI for quashing the seizure list dated 16.04.2026 in Mohania Police Station Case No. 262 of 2026 dated 16.04.2026 prepared by the Respondent No. 7 whereby and where under the 18 wheels truck bearing Registration No. BR24GD4906, Engine No. 52F64489320 and Chassis No. MAT828113SAG11627 along with the Gravel (Giti) which was seized on the grounds that the illegal Gravel (Giti) was being transported illegally and causing loss to the State exchequer.

(iii) Any other relief/reliefs as your Lordships may think fit and proper in the facts and circumstances of the case.”

3. The matter relates to seizure of truck bearing **Registration No. BR-24-GD-4906** which was intercepted under **Mohania Police Station, Kaimur** on **16.04.2026** and that resulted into lodging of the **Mohania P.S. Case No. 262 of 2026**.

4. The contention in the writ petition is that the vehicle



was destined from Katni (Madhya Pradesh) to Ara (Bihar) with stone chips (28.05 cubic meters) and the valid period was up to 17.04.2026 (12:00 AM). However, it was intercepted and seized on 16.04.2026 and 16:26 hours recording the Mohania Toll Plaza CCTV footage shows that he crossed the place thrice.

5. Learned counsel for the petitioner submits that he shall be fighting out the legal battle before appropriate authority but keeping the truck under the sky will result into its deterioration and further, his family is also suffering as the truck is lying idle and not being used for commercial purposes. The submission is that reserving his right to challenge the said illegal order, the petitioner is ready to pay the fine amount but since the truck is out of business, the same be allowed to be paid in installment.

6. Learned counsel for the petitioner further submits that if the truck is released upon payment of the fine amount:

(i) he shall not alienate the said truck; and

(ii) he shall produce the same before the respondent-authorities as and when required.

7. Though learned counsel for the Mines Department has justified the action but accepts the fact that keeping the truck under sky serves no purpose.

8. In that background, with the consent of the parties, the writ petition stands disposed of allowing the petitioner to pay



the amount in following manner:

“(i) Rs. 3,06,569 at the time of the release of the truck: and

(ii) Rs. 1,00,000/- per month (totalling Rs. 6,00,000/-) (on or before tenth of every month) starting from 10th of August, 2026 and ending 10th of January, 2027.”

9. It is made clear that in the event of failure on the part of the petitioner to pay any installment within the stipulated time, the respondents shall be at liberty to take immediate steps for seizure of the truck in accordance with law.

10. It is also made clear that the petitioner shall not be alienating the truck and shall diligently producing it as and when required by the respondents.

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

(Rajiv Roy, J)

Adnan/-

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