

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7969 of 2026

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Deepak Ray S/o Ram Bilash Ray, R/o Village-Ambey Niwas, Road No. 1,
Laxmi Nagar, Near Hanuman Mandir, Post- Telco, P.S.- Telco, Jamshedpur,
District-Purbi Singhbhum-831004 (Jharkhand).

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Mines and Geology, Government of Bihar, Patna.
2. The Principal Secretary, Home Department, Government of Bihar, Patna.
3. The District Magistrate, Bhojpur, Ara.
4. The Superintendent of Police, Bhojpur, Ara.
5. The Mineral Development Officer, Bhojpur, Ara.
6. The District Mining Officer, Bhojpur, Ara.
7. The Officer-in-Charge, Barhara Police Station, Bhojpur, Ara.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Abhishek Singh, Advocate
For the Respondent/s	:	Mr. GP-6, Archana Meenakshee
		Mr. Rana Veer Prawar, AC to GP-6
For the Mines	:	Mr. Naresh Dikshit, Spl.P.P. Mines
		Ms. Shruti Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 02-07-2026 Heard Mrs. Sangha Mitra Ghosh, learned counsel for

the petitioner, Mr. Archana Meenakshee, learned GP-6 and Ms.

Shruti Singh, learned counsel representing the Mines

Department.

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

*“i. For issuance of writ in the nature of
"Mandamus" upon the concerned respondents to
release the seized truck of the petitioner bearing*



registration number OR-05AC-7343 which has been seized on 23.03.2024.

ii. For direction upon the respondent authorities to pay compensation to the petitioner for illegal confinement of his commercial vehicle. As, the fine amount quantified i.e. Rs. 3,17,725/- by the authorities were paid on 09.07.2024 despite that the vehicle has not been released.

iii. For issuance of an appropriate writ, direction or order upon the respondents herein for staying the investigation and further proceedings pursuant to F.I.R. pertaining to Barhara P.S. Case no. 148/2024 registered on 23.03.2024 under sections 379, 411 of the I.P.C. and Rule 56 (i), 56 (ii) of Bihar Minerals (Concession, Prevention of illegal Mining, Transportation and Storage) Rule, 2019 and its amended Rule 2021.

iv. For issuance of appropriate writ in the nature of mandamus commanding the respondents to pay damages for the loss of profits to the petitioner.

v. The Hon'ble Court may award the cost



of litigation and suitable compensation to the petitioner for the loss and damages on account of unfair, illegal and arbitrary action of respondents.

vi. The Hon'ble Court may pass appropriate award considering the fact that there has been loss of business on the ground arbitrary action on behalf of respondents.

vii. For any other relief or reliefs for which the petitioner be found entitled in the eye of law.”

3. The truck of the petitioner bearing Registration No. **OR-05-AC-7343** was seized on **23.03.2024**.

4. The legal procedure followed, whereafter, once the petitioner deposited the fine amount of Rs. 3,17,725/-, the Collector, **Bhojpur in Confiscation (Mining) Case No. 181 of 2024 (State vs Deepak Ray)** passed an order on **18.07.2024** directing the District Mining Officer, Bhojpur to release the vehicle in favour of the petitioner after taking the DTO/MVI/ESI no objection certificates.

5. The contention in the writ petition is that despite the payment made, the truck has not been released. The counter-affidavit of the District Mining Officer, Bhojpur shows that the



petitioner failed to submit DTO/MVI/ESI certificates as mandated by the Collector, Bhojpur.

6. Two years have lapsed, fine amounts deposited, truck has not been released.

7. Instead of keeping the case pending, this Court directs the petitioner to approach the District Mining Officer, Bhojpur at Ara alongwith the no objection certificate(s) as mandated in the order of the Collector, Bhojpur within a period of four weeks and if such certificate(s) is/are submitted, the concerned respondent shall be releasing the truck immediately and preferably within a period of one week thereafter.

8. Failure to do so, an appropriate order shall be passed once the petitioner approaches the Patna High Court.

9. With the aforesaid observation, the writ petition stands disposed of.

(Rajiv Roy, J)

Adnan/-

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