

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8296 of 2026

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Ravi Shankar Kumar Son of Birendra Singh, Resident of Village Pachlakh,
Post- Aima Chauki, Police Station- Khijarsarai, Panchayat Kutlupur, District -
Gaya, State- Bihar, Pin Code- 824233.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Mines and Geology, Government of Bihar, Patna.
2. The Mines Commissioner, Department of Mines and Geology, Government of Bihar, Patna.
3. The Director, Mines and Geology, Government of Bihar, Patna.
4. The District Mining Officer, Arwal, Bihar.
5. The Mining Inspector, Arwal, Bihar.
6. The Mineral Development Officer, Arwal, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar Sharma, Adv.
For the Respondent/s	:	Mrs. Archana Meenakshee, GP 06
		Mr. Rana Veer Prawar, AC to GP-6
For the Mines	:	Mr. Naresh Dikshit, Spl. P.P. Mines

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 02-07-2026 Heard Mr. Rajesh Kumar Sharma, learned counsel for

the petitioner, Ms. Shruti Singh representing the Mines

Department besides Mrs. Archana Meenakshee for the State.

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

*A. for issue a Writ of Mandamus or
any other appropriate Writ/Writs, Order/
Order, or direction/ directions to set-aside
coercive imposition of the penalty of Rs.
8,82,796/- (Rupees Eight Lakhs Eighty-Two
Thousand Seven Hundred and Ninety) through*



11-04-2026 issuance of Seizure Letter 08-03-2026, (Annexure/3) without speaking order under Rule 30(4) read with Rule 56(2) of the Bihar Minerals (Concession, Prevention of Illegal Mining, Transportation and Storage) (Amendment) Rules, 2024, which was paid by petitioner under protest through E-Challan (BTC-4) vide GRN No. BHR20260413121624778769M dated 13-04-2026 which is illegal, arbitrary, malicious, and based on the wholly fabricated and physically impossible charge of "Double Trip on the same challan.

B. For Issue a Writ of Mandamus or any other appropriate Writ/Writs, Order/Order, or direction/ directions, directing the Respondents to refund the penalty amount of Rs. 8,82,796/-which was paid and deposited by the petitioner vide GRN No. BHR20260413121624778769M dated 13-04-2026 along with interest at the rate of 12% per annum from the date of deposit till the date of actual refund.

C. For issue a Writ of Mandamus or any other appropriate Writ/Writs, Order/Order, or direction/ directions, directing the Respondents to produce before this Hon'ble Court the complete raw VLTD/GPS track data of Vehicle No. BR-02GC-7679 for 11-04-2026 from 12:00 AM to 11:59 PM for independent judicial scrutiny.



D. For issue a Writ of Mandamus or any other appropriate Writ/Writs, Order/ Order; or direction/ directions direction to conduct a departmental inquiry against Respondent No. 5 (Mining Inspector, Arwal) for demanding illegal gratification, abusing authority, fabricating evidence, and causing physical and economic harm to the Petitioner and his employees.

E. And for any other reliefs/reliefs for which the petitioners are found to be entitled under the provision of law involved in the present case.

3. The petitioner is the owner of the truck bearing Registration No. BR-02GC-7679 which according to the petitioner was moving with a valid challan after lifting sand from Sahar sand ghat and was destined for Muzaffarpur. The period in the challan records as 11.04.2026 (07.37.48 AM) to 12.04.2026 (07.37.48 AM). It was intercepted at 04.50 PM on 11.04.2026 near Arwal and the reasons assigned is that after unloading the sand, it was reloaded. Accordingly, a fine amount of Rs. 8,82,796/- which according to the petitioner has been paid and truck now stands released.

4. The contention is that they have not come to any conclusion as to how and under what circumstance they came to the conclusion that it was unloaded/reloaded when within the time frame, it was moving on the road.



5. Learned counsel representing the Mines submits that the truck stands released, the petitioner appeared before the Mineral Development Officer, Arwal, Bihar and a reasoned order shall be passed in accordance with law within a period of six weeks from the date the petitioner submits its explanation.

6. In that background, the writ petition is disposed of allowing the petitioner to submit its show cause before the respondent no. 6, the Mineral Development Officer, Arwal, Bihar within next three weeks who shall be taking up the matter and within six weeks of the receipt of the explanation, shall be passing a reasoned order.

7. It is made clear that it should not be a cryptic order rather the respondents shall be duty-bound to justify the reason for seizure inasmuch as they will have to come out with a proper explanation that the truck after lifting the sand on 11.04.2026 at 07 AM, unloaded it and thereafter, it was moving for the second time on the same challan.

8. The writ petition is disposed of with aforesaid observation.

(Rajiv Roy, J)

Vijay Singh/-

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