

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1495 of 2024

=====

Balendra Sahni @ Balendra Sahani Son Of Ganesh Sahni @ Ganesh Sahani
Village -Bhsluhi Rasil, Rampur Asli, Po- kurnowl, PS- Sahebganj Distt-
Muzaffarpur

... .. Petitioner/s

Versus

1. The State Of Bihar Through Principal Sect., Dept. Of Mines And Geology,
Govt. Of Bihar, Bihar
2. The Principal Secretary, Home Dept. Govt. Of Bihar, Patna Bihar
3. The District Magistrate, Saran At Chapra Bihar
4. The Superintendent Of Police, Saran At Chapra Bihar
5. The Mineral Development Officer, Saran At Chapra Bihar
6. The District Mining Officer, Saran At Chapra Bihar
7. The Sho Maker Police Station, Saran At Chapra Bihar

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Sanat Mishra, Advocate Mr. Anand Tiwari, Advocate Mr. Puspesh Singh, Advocate Mr. Abhishek Singh, Advocate
For the State	:	Mr. Piyush Kumar Pandey, AC to SC-11
For Deptt. of Mines	:	Ms. Shruti Singh, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 13-02-2026 Learned counsel for the petitioner, at the outset,

submits that he does not want to press any of the relief and

confines his prayer only to release of his truck bearing

Registration No. BR-04GA-0485 on payment of penalty amount

of Rs.1,47,790/- in easy installment. Learned counsel further

submits that as per his instruction no confiscation proceeding

has been started.

2. Learned counsel appearing on behalf of State-



respondents submits that the present writ petition is not maintainable as the petitioner has got alternative efficacious remedy.

3. Learned counsel, Ms. Shruti Singh appears and submits that she represents Department of Mines and respondent nos. 5 and 6. However, the name of learned counsel of Department of Mines is not appearing in the cause list. But she submits that if the petitioner is ready to make payment, he may be directed to make payment in one go but not in installments.

4. Having regard to the rival submission of the parties and considering the fact that the petitioner has confined his prayer only for release of his truck on payment of installment, the petitioner is directed to approach respondent no. 5 and he will make payment of penalty amount of Rs.1,47,790/- and the said amount will be paid in three equal monthly installments. The first installment will be paid on or before 27.02.2026 and other two installments in the same manner in next two months. After the payment of the first installment, the truck of the petitioner will be released in his favour and after payment of last installment, the case against the petitioner would be dropped.

5. Accordingly, the present petition stands disposed of.



6. However, it is made clear that if the petitioner fails to make the payment of the installments, the respondent no. 5 would be at liberty to repossess the truck of the petitioner and further proceed in the matter in accordance with law.

(Arun Kumar Jha, J)

DKS/-

U			
---	--	--	--

