

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11324 of 2026

1. Uday Chandra Kumar S/o Vidya Nand Ray, R/o Ward No. 5, Kala Diara, Patna, Kala Diara, P.S.- Salimpur, District- Patna, Bihar.
2. Prabhat Chandra Kumar, s/o Vidya Nand Ray, R/o Village- Kala Diara, Kala Diara, P.S. Salimpur, Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary, Home (Police) Department, Government of Bihar, Patna.
2. The Principal Secretary, Mines and Geology Department, Government of Bihar, Patna.
3. The Director, Mines and Geology Department, Government of Bihar, Patna.
4. The District Magistrate-Cum-Collector, Patna, Bihar.
5. The Assistant Director, Mines, Patna, Bihar.
6. The District Mines Officer, Patna, Bihar.
7. The Additional Collector, Patna, Bihar.
8. The District Mining Development Officer, Patna, Bihar.
9. The Senior Superintendent of Police, Patna, Bihar.
10. The Officer-In-Charge, Salimpur Police Station, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sriram Krishna, Adv. Mr. Amarjeet, Adv.
For the Respondent/s	:	Mr. Standing Counsel (06)
For the Mines Deptt.	:	Mr. Naresh Dikshit, Spl. PP. Ms. Shruti Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

2 28-07-2026 Heard the learned counsel for the parties.

The present writ petition has been filed for the
following relief(s):-

*“1. That the present writ application
is being filed for issuance of an appropriate
writ/ order(s)/direction(s) directing the
respondents to release the petitioner's vehicle,*



namely a Yellow Colour JCB bearing Chassis No. HAR3DXSSA02595444, seized in connection with Salimpur P.S. Case No. 154 of 2026, which has been illegally seized by the respondents under the Bihar Minerals (Concession, Prevention of Illegal Mining, Transportation and Storage) Rules, 2019, without any cogent or lawful reason.

II. For issuance of an appropriate writ/ order(s)/direction(s) quashing Letter/Memo No. 1160 dated 23.05.2026, whereby the Station House Officer forwarded the matter to the District Mining Development Officer for initiating further action against the petitioner.

III. For issuance of an appropriate writ/ order(s)/direction(s) quashing the Seizure List dated 23.05.2026 which was prepared in contravention with law without following the procedure established by law.

IV. For issuance of an appropriate writ/ order(s)/direction(s) quashing Memo No. 1609 dated 22.06.2026, whereby the respondent authorities imposed a penalty of Rs.10,00,000/- upon the petitioner's seized vehicle, which is arbitrary, illegal, unjust and unsustainable in the eyes of law as no such act of mining ever taken place.”

3. Without going into the merits or demerits of the case, the present writ petition is disposed of at the stage of



admission with the consent of both the counsels.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner has given a representation/ complaint dated 22.06.2026 (Annexure-P/2) to the respondent No. 6 who is the competent authority and it would suffice if a direction is given to the said authority to consider the said representation and pass necessary orders by fixing a time-frame.

5. Learned counsel appearing on behalf of the respondent no. 6 submits that the representation given by the petitioner may not be available in the office of the respondent No. 6 at this point of time. That the petitioner may be directed to give a fresh representation to the representation No. 6 and the same shall be dealt with in accordance with law.

6. Having regard to the above made submissions, the present writ petition is disposed of granting liberty to the petitioner to file a fresh representation/ complaint before the respondent No. 6 within a period of four weeks from the date of receipt of a copy of this order.

7. It is needless to mention that before passing any orders, the petitioner shall be given an opportunity of hearing. The entire exercise shall be completed as expeditiously as possible preferably within a period of four weeks thereof. Any



orders passed shall be communicated to the party.

8. With the above direction, the present writ petition stands disposed of.

(A. Abhishek Reddy , J)

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