

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.84 of 2025

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Gautam Kumar Son of Rajendra Yadav Resident of Village Sobh, P.O. Bhadeya (Beri) District Gaya (Bihar) Pin-824201.

... .. Petitioner/s

Versus

1. The State of Bihar through Additinoal Chief Secretary, Mines and Deology Department, Government of Bihar, Patna.
2. The Managing Director, Bihar State Mining Corporation Ltd (Bihar Govt.) Patna.
3. The District Magistrate, Gaya.
4. The Mineral Development Officer, Gaya.
5. The Officer-in-Charge, Police Station Barachatti, Sub Div. Sherghari, District.
6. Prakhar Pragya D/o Bhupendra Prasad Singh Khaan Nirakshak, Khanan Karyalaya District Gaya, Bihar Mob.-8982065356 Resident of Village Patel Nagar, P.S. Sultanganj District Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajnish Ranjan, Adv.
For the Mines	:	Mr. Naresh Dikshit, Spl P.P.
		Ms. Shruti Singh, Adv.
For the BSMC. Ltd.	:	Mr. Ranjeet Kumar Pandey, Adv.
		Mr. Rajesh Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 30-04-2026 Heard Mr. Rajnish Ranjan, learned counsel for the petitioner and Ms. Shruti Singh, learned counsel for the Mines Department beside the learned counsel for the State, Mr. Anirban Kundu.

2. The present petition has been preferred:

*for a direction to the respondents
authorities to release the vehicle i.e. tractor Reg.*



no. BR02W-6863 with trolley (Chasis No. WxTF24405034852) in favour of the petitioner which has been seized by the respondent in connection with Barachatti P.S. Case No. 950/2022 Registered u/s 379, 411 of the I.P.C and Rule 21/56 MMDR Act.

3. The petitioner's vehicle having Registration no. BR-02-W-6863 stands seized in connection with Barachatti P.S. Case No. 950 of 2022 registered on 21.10.2022. Learned counsel for the petitioner at the outset, submits that he is ready to participate in the proceeding so that it is taken to its logical conclusion but the seizure of the vehicle has led to economic crisis in the family. The submission is that he is ready to pay the fine amount under protest so that the vehicle which is kept under the sky for years is released and he can use it for business purposes. The undertaking that is being given that;

- (i) he shall not alienate the vehicle;
- (ii) shall be produced as and when required;

3. Learned counsel for the respondent submits that the petitioner is ready to pay the fine amount, after the undertaking the vehicle can be released.

4. Taking into account the submission of the parties



and the limited prayer that the petitioner has put forward, certainly, pendency of the proceeding cannot be a reason to keep the vehicle under seized condition as everyday it will get deteriorated making it worthless. In that background, if the petitioner is ready to pay the fine amount, along with the undertaking that he will not alienate and/or shall be producing it at the time of as and when required, the respondent authorities shall release the vehicle.

5. Accordingly, the writ petition is disposed of with aforesaid observation.

(Rajiv Roy, J)

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