IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16570 of 2026

CNR No. BRHC011096872026

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Shivnarayan Saw @ Shivnarayan Kumar Saw Son of Durgi Saw, Resident of village- Phulwariya, Ward No.- 6, Police Station- Koderma, District- Koderma (Jharkhand).

... ... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Director, Mines and Geology Department, Government of Bihar, Patna.
3. The District Magistrate, Nawada, Bihar.
4. The Superintendent of Police, Nawada, Bihar.
5. The Mineral Development Officer, Mines and Geology Department, Nawada, Bihar.
6. The Mines Inspector, Mines and Geology Department, Nawada, Bihar.
7. The SHO, Rajauli Police Station, Nawada, Bihar.

... ... Respondent/s

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Appearance :
For the Petitioner/s : Mr. Deepak Kumar, Adv.
For Mines : Mr. Naresh Diskhit, Adv.
: Ms Shruti Singh, Adv.
For the Respondent/s : Mr. Dhirdyuti Kumar Verma, GP(14)

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CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY

ORAL ORDER

2 28-10-2026 Heard the learned counsel for the parties.

2. This writ petition has been filed for the following relief(s):-

"(i) For issuing a writ of Certiorari or any other appropriate writ quashing the illegal seizure of the truck of the petitioner bearing Registration No. JH12S-9490, which has been illegally seized on 04.08.2026 by respondent and no documents regarding aforesaid seizure has been provided.

(ii) For issuance of a writ of mandamus directing the immediate release of the seized vehicle which was seized without following due process of law.

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(iii) For grant of any other relief/s as petitioner may be found entitled in the facts and circumstances of the present case."

3. Learned counsel appearing on behalf of the petitioner submits that the petitioner is willing to pay the penalty amount amounting to Rs. 11,26,696/- imposed by the authority without prejudice to his rights. Learned counsel submits that the petitioner is having a good case and prefers to contest the same before the appropriate authority. However for the present, the petitioner wants release of the vehicle as it is remaining ideal and getting exposed to the vagaries of nature. Further, it is submitted that due to the non- operation of the vehicle the petitioner is unable to earn his livelihood. Learned counsel submits that the petitioner is willing to pay the penalty amount of Rs. 11,26,696/- imposed by the authority provided, he may be given an opportunity of paying the same in installments and without prejudice to his rights. Further, learned counsel for the petitioner submits that in case the truck is released on payment of the fine amount, the petitioner will not alienate the said truck and he shall produce the vehicle as and when required by the respondent authorities or before the competent Court.

4. In view of the above made submissions with the consent of both the parties, the present writ petition is disposed

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of permitting the petitioner to pay the penalty amount of Rs. 11,26,696/- in three installments. The authority shall release the vehicle bearing Registration No. JH12S-9490 immediately after the payment of the first installment.

(a) Rs. 4,26,696/- by 18th of December, 2026.

(b) Rs. 3,50,000/- by 18th of January, 2027.

(c) Rs. 3,50,000/- by 18th of February, 2027.

5. It is also made clear that after payment of the first installment, the petitioner shall furnish the security for the sum of Rs. 7,00,000/- by way of fixed deposit from the nationalized Bank at the time of release of the vehicle.

6. In case the petitioner fails to abide by any of the conditions imposed or pay the fine amount, then the respondent authorities are free to take necessary steps for seizing the vehicle once again and auctioning the same for recovery of the balance penalty amount due.

7. With the above observations, the present writ petition stands disposed of.

(A. Abhishek Reddy, J)

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