IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17719 of 2026

CNR No. BRHC011112092026

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Gyanti Devi, Wife of Late Sanjay Singh, Resident of Mohalla- Ganesh Lal Road, Digha Ghat, Danapur, P.S.- Digha, District - Patna.

... ... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Mines and Geology, Government of Bihar, Patna.
2. The Principal Secretary-cum-Commissioner, Department of Mines and Geology, Government of Bihar, Patna.
3. The Director, Mines and Geology Department, Government of Bihar, Patna.
4. The District Magistrate-cum-Collector, Patna.
5. The District Mining Officer, Patna.
6. The Mines Inspector, Patna
7. The Senior Superintendent of Police, Patna
8. The Station House Officer, Neora

... ... Respondent/s

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Appearance :
For the Petitioner/s : Mr.Sudhir Kumar Singh, Adv.
For the Respondent/s : Mrs. Kalpana, Government Advocate (22)
Mrs. Aditi Sahay, AC to GA 22

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CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY

ORAL ORDER

2 25-11-2026 Heard the learned counsel for the parties.

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

"a. Issuance of an appropriate writ/s, order/s or direction/s, particularly in the nature of writ of CERTIORARI, for quashing the order dated 15.05.2026 passed by the Learned Mining Commissioner, Patna in Vehicle

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Confiscation Appeal Case No. 02 of 2026 whereby and whereunder the Learned Mining Commissioner, Patna upheld the order dated 13.06.2025 passed by the Learned Collector, Patna in Mines Confiscation Case No. 03 of 2024-25 stating therein that the said order of confiscation of the petitioner's vehicle passed by the Learned Collector, Patna was just as the vehicle of the petitioner bearing Registration No. BR-24G-1149 was transporting minor minerals without a valid/adequate challan and as such a penalty was imposed which was not paid within the stipulated time frame.

b. Issuance of an appropriate writ, order or direction particularly in the nature of Mandamus restraining the respondent authorities from taking any coercive or punitive action against the petitioner.

c. During the pendency of the present writ petition, direct the respondent authorities to immediately release the petitioner's vehicle on provisional basis without insisting upon deposit of any exorbitant penalty amount, and not proceeding with auction of the said vehicle.

d. Any other relief/reliefs as Your Lordships may think fit and proper in the facts and circumstances of the case."

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3. Learned counsel appearing on behalf of the petitioner submits that the petitioner is willing to pay the penalty amount amounting to Rs. 2,58,575/- 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. 2,58,575/- 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 of permitting the petitioner to pay the penalty amount of Rs. 2,58,575/- in three installments. The authority shall release the

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vehicle bearing Registration No. BR-24G-1149 immediately after the payment of the first installment.

(a) Rs. 1,58,575/- by 6th of December, 2026.

(b) Rs.50,000/- by 6th of January, 2027.

(c) Rs.50,000/- by 6th 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.1,00,000/- by way of fixed deposit from the nationalized Bank or personal surety, 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)

Bhardwaj/-

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