

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20688 of 2025

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Ramanjee Jha Son Of Late Chadrasekhar Jha, Resident Of Village-Kanakpur,
Police Station-Sakatpur, District-Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar Through Secretary, Department Of Mines And Geology, Government Of Bihar, Patna.
2. The Secretary Cum Mines Commissioner, Department Of Mines And Geology, Government Of Bihar, Patna.
3. The State Transport Commissioner, Department Of Transport, Government Of Bihar, Vishweswaraiya Bhawan, 1st Floor, Bailey Road, Patna.
4. The District Magistrate, Madhubani.
5. The Superintendent Of Police, Madhubani.
6. The Mineral Development Officer, Madhubani.
7. The District Mining Officer, Madhubani.
8. The Mining Inspector, Madhubani
9. The Officer-In-Charge, Police Station- Bhairavsthan, District - Madhubani.
10. The State Bank of India through the Branch Manager, SBI, Manigachhi, Branch, District- Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Abu Nasar, Advocate
For the Mines Dept	:	Mr. Naresh Dikshit, Spl.P.P., Mines
		Ms.Shruti Singh, Advocate
For the C.B.I.	:	Mr. Anjani Kumar Mishra, Advocate
For the Respondent/s	:	Mr.Standing Counsel (15)

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 29-01-2026 Heard the parties.

2. The present application has been filed seeking quashing of multiple orders passed by mining authorities, secure release of the seized vehicle, stay on coercive and confiscation proceedings and claim compensation for alleged illegal and arbitrary actions.



3. Mr. Anjani Kumar Mishra, learned counsel for the C.B.I. submits that petitioner's loan account is open and standard.

4. From Annexure 'P/1', the vehicle of the petitioner having Registration No. BR07GC1770 and chasis no. MAT786009P8F08661 was seized by the respondent authorities as it was found without challan and cover and penalty of Rs. 8,42,000/- was imposed without issuing show-cause and without hearing the petitioner.

5. The matter has been decided by the Collector and in between that the petitioner had approached this Court in CWJC No. 10190 of 2025 by which the matter was remitted back to the Collector who had passed the order dated 01.04.2025.

6. It is no dispute that before imposing the penalty no notice was issued to the petitioner nor the petitioner was heard. The fine has been calculated without issuance of any show-cause notice and without hearing the petitioner which is in complete violation of principles of natural justice.

7. In these circumstances, the fine of Rs. 8,42,000/- which has been imposed by the respondent authority vide order dated 22.02.2025 and the order dated 01.04.2025 passed by the



Collector are hereby quashed.

8. The matter is remitted back to the original authority for fresh consideration after issuance of a proper show-cause and after affording opportunity of hearing to the petitioner.

9. Since no fruitful purpose will be served in keeping the vehicle seized, therefore, considering the law laid down by the Hon'ble Supreme Court in the case of ***Sunderbhai Ambalal Desai vs. State of Gujrat*** reported as **2002 (10) SCC 283**, during pendency of the matter before the concerned authority, the Hydraulic Tipper bearing Registration No. BR07GC1770 and chasis no. MAT786009P8F08661 shall be released in favour of the petitioner by way of interim relief with the following conditions:

(i) The petitioner shall furnish a security of Rs. 20 lakhs (not bank guarantee) before the concerned/ competent authority before whom the confiscation proceeding is pending.

(ii) The petitioner shall furnish all the necessary papers/documents of ownership before the concerned competent authority.

(iii) The petitioner shall undertake, in writing, that the vehicle, in question, shall neither be alienated nor be transferred in favour of any third party during the pendency of the proceeding and that the vehicles, in question, shall be produced as and when called upon or required in the proceeding or otherwise.

(iv). If any jurisdictional objection is taken by the petitioner that shall also be considered by the authority concerned. The petitioner will also co-operate with the authorities till disposal.



10. The petitioner is given liberty to raise all the grounds including the ground mentioned in paragraph ‘29’ of the writ petition before the respondent authorities in his show-cause and all these grounds shall be considered after hearing the petitioner and a detailed order shall be passed.

11. Accordingly, this application stands allowed and the letter produced by Mr. Anjani Kumar Mishra, learned counsel for the C.B.I. is taken on record.

(Sandeep Kumar, J)

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