IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17762 of 2026

CNR No. BRHC011182212026

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Ripu Kumar, Son of Gupteshwar Singh, Resident of Village Patut, Raghopur, P.O. Patut, P.S.- Rani Talab, District -Patna, Bihar, PIN -801112.

... ... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary-cum-Mines Commissioner, Mines and Geology Department, Government of Bihar, Patna.
3. The Director of Mines, Mines and Geology Department, Government of Bihar, Patna.
4. The District Magistrate-cum-Collector, Patna.
5. The Mineral Development Officer, District Mining Office, Patna.
6. The Mining Inspector, District Mining Office, Patna.
7. The Station House Officer, Bikram Police Station, District -Patna.

... ... Respondent/s

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Appearance :
For the Petitioner/s : Mr.Rajnikant, Adv.
For the Respondent/s : Mr. Pravin Kr. Jha, Standing Counsel (5)

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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):-

"i. For issuance of a writ of certiorari quashing the seizure/safe-custody memo dated 02.05.2025 issued by the Mining Inspector, District Mining Office, Patna, insofar as it concerns tractor BR01GD8602, as arbitrary and contrary to law and natural justice.

ii. For issuance of a writ of mandamus

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directing release of the aforesaid tractor and its attached trolley, subject to lawful safeguards and such reasonable conditions as this Hon'ble Court deems fit.

iii. For issuance of an appropriate writ/order directing a reasoned decision within a fixed period after notice, supply of relied-upon documents, consideration of the petitioner's explanation and an effective hearing, with provisional release meanwhile.

iv. For issuance of an appropriate writ/order declaring the arbitrary continued detention of the petitioner's vehicle to be violative of Articles 14, 19(1)(g) and 300A of the Constitution.

v. For issuance of an appropriate writ/order directing provisional release of the vehicle during pendency of the writ petition on such terms and conditions as this Hon'ble Court may deem fit and proper.

vi. For any other relief to which the petitioner may be found entitled."

3. Learned counsel appearing on behalf of the petitioner submits that the petitioner is willing to pay the penalty amount amounting to Rs. 1,15,750/- imposed by the authority without prejudice to his rights. Learned counsel submits that the

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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. 1,15,750/- 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 tractor is released on payment of the fine amount, the petitioner will not alienate the said tractor 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. 1,15,750/- in two installments. The authority shall release the vehicle bearing Registration No. BR01GD-8602 immediately after the payment of the first installment.

(a) Rs.75,750/- by 6th of December, 2026.

(b) Rs.40,000/- by 6th of January, 2027.

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5. It is also made clear that after payment of the first installment, the petitioner shall furnish the security for the sum of Rs.40,000/- 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)

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