

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.316 of 2026

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Ranjeet Kumar Yadav Son of Indradev Yadav, Resident of village- Bagro,
Police Station- Domchanch, 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 Mines Inspector, Mines and Geology Department, Nawada, Bihar.
6. The Mineral Development Officer, Mines and Geology Department,
Nawada, Bihar.
7. The SHO, Nawada Police Station, Nawada, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Deepak Kumar, Advocate
For the Respondent/s	:	Mr. Government Pleader (27)
For the Mines	:	Mr. Naresh Dikshit, Spl. P.P.
		Ms. Shruti Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 02-02-2026 Heard the parties.

2. The present writ petition has been filed for the
following reliefs:

*“(i) For issuing a writ of Certiorari
or any other appropriate writ quashing the
illegal seizure of the vehicle of the petitioner
bearing Registration No.- JH12E-3541, which
has been illegally seized on 09.10.2025 by the
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.*

(iii) For directing an independent



enquiry of the illegal and coercive actions of police officials of Nawada police station, Nawada as well as officials of Mines & Geology Department, Nawada.

(iv) For quashing letter no.- 5795/ख० dated 09.12.2025 issued under signature of Mineral Development Officer, Nawada demanding a fine of Rs. 8,50,894.00 imposed upon truck of the petitioner.”

3. Learned counsel for the petitioner submits that the penalty has been imposed upon the petitioner without affording an opportunity of hearing and subsequent thereto a show cause notice was issued to him.

4. Per contra, learned counsel for the State submits that a show cause notice was issued to the petitioner in due compliance of the principles of natural justice and therefore the impugned order suffers from no illegality and infirmity.

5. From the perusal of the impugned order of penalty dated 09.12.2025 as well as the show cause notice of even dated, it is clear that the respondent authorities had imposed the penalty upon the petitioner and therefore subsequently as an afterthought issued a show cause notice. From the perusal of the impugned order and the show cause notice, it is clear that the respondent authorities had already made up their mind with regard to imposition of penalty upon the petitioner and have merely resorted to giving a post decisional hearing. Such *Ex-*



post facto issuance of show cause does not satisfy the requirements of principles of natural justice and is therefore unsustainable in the eyes of law.

6. Accordingly, the impugned order dated 09.12.2025 is quashed and set aside. The matter is remitted back to the respondent authorities for fresh consideration after affording a reasonable opportunity of hearing to the petitioner and thereafter passing a speaking order, in accordance with law.

7. 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 Gujarat*** reported as ***2002 (10) SCC 283***, during pendency of the matter before the concerned authority, the vehicle in question bearing registration number JH-12E-3541 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 rupees fifteen lakhs (not in the form of bank guarantee or fixed deposit) before the concerned/competent authority at the time of release of the vehicle in question.*
- 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/sold in favour of any third party during the pendency of the proceeding and that the truck 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 cooperate with the authorities till the final disposal of the proceeding.*

8. With the aforesaid observations and direction, this petition is allowed to the above extent.

(Sandeep Kumar, J)

P. Kumar

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