

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No. 1198 of 2014

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Shivajee Singh, Son of Ramdev Singh, Resident of 477, Chini Mill, Ward
No. 14, Nagar Parishad Buxar, District- Buxar.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Forest Department,
Government of Bihar, Patna.
2. The District Magistrate Rohtas Sasaram.
3. The Authorised Officer cum Divisional Forest Officer Rohtas, Sasaram.
4. The Range Officer Sasaram Forest Area at Sasaram.
5. The Forestor Tilauthu cum Darigaon, Forest Circle, District- Rohtas.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL ORDER

2 24-07-2015

Heard learned counsel for the petitioner and
learned AC to G.P. 22 for the State.

The present writ application seeks quashing of
Forest Case No. 63 of 2013 registered as an official complaint
in the Court of learned Chief Judicial Magistrate, Sasaram on
22.11.2013 by which the petitioner has been charged for
committing offences under Sections 33, 41 and 42 of the
Indian Forest Act, 1927 (Bihar Amendment Act, 1989).

Learned counsel for the petitioner submits that
though there are violations of the provisions of the relevant
laws with regard to seizure and confiscation but for the
present without going into those aspects, he would be satisfied
that the forest case pending before the Chief Judicial
Magistrate, Sasaram is itself directed to be disposed off

expeditiously.

Despite copy of the application having been served on learned counsel for the State on 02.12.2014, no counter affidavit has been filed in the case. This Court does not approve such casual attitude of the respondents and may have proceeded to pass appropriate orders. However, in view of the fact that the writ petition, in the opinion of the Court, can be disposed off, the Court refrains from passing orders against the concerned respondents for not having filed appropriate counter affidavit.

Coming to the merits, this Court cannot appreciate the pendency of the forest case for over one and a half years without there being any justification since the material evidence in the case is already before the concerned authorities and now only the trial has to be held in accordance with law.

Accordingly, the learned Chief Judicial Magistrate, Sasaram is directed to dispose off Forest Case No. 63 of 2013 expeditiously and in any case latest by 30th September, 2015. The respondents no. 2 to 5 are also directed to ensure full cooperation to the concerned Court. It goes without saying that the petitioner too shall cooperate in the disposal of the case.

The application stands disposed off in the aforementioned terms.

The Registry shall communicate the order to the Court concerned through Fax also latest by tomorrow.

Learned State counsel shall communicate the order to the State authorities.

(Ahsanuddin Amanullah, J.)

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