

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13038 of 2015

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Bijendra Singh, Son of Ram Ashish Singh, Resident of Village- Tenduni ,
Ward no. 3, Bikramganj, Police Station - Bikramganj District Rohtas.

.... Petitioner

Versus

1. The State of Bihar, through the Principal Secretary, Forest Department,
Government of Bihar, Patna.
2. The District Magistrate, Rohtas at Sasaram.
3. The Divisional Forest Officer-cum-Authorized Officer, Rohtas Forest
Division ,Sasaram, District Rohtas.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh

For the Respondent/s : Mr. AC to GP-5

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4 28-09-2015 Heard Sri Rajani Kant Singh, learned counsel for the
petitioner and learned AC to GP-5.

The petitioner, invoking writ jurisdiction of this Court
under Article 226 of the Constitution of India, has prayed for
directing the Respondents to provisionally release his truck,
bearing Registration No.HR-55K/9175.

Learned counsel for the petitioner submits that his
truck was seized on 02.08.2015. It has been accepted by learned
counsel for the petitioner that besides initiating confiscation
proceeding, a criminal case vide Forest Case no.69 of 2015 has
also been initiated. The confiscation proceeding is pending before
the Respondent no.3. Learned counsel for the petitioner submits

that the petitioner has filed a petition for provisional release of his vehicle. Accordingly, a prayer is being made for provisional release of his truck during pendency of the confiscation proceeding.

Learned counsel for the State opposing the prayer of the petitioner submits that only in the month of August, 2015 the vehicle of the petitioner was seized carrying stone chips, which was being illegally carried.

Keeping in view the fact that the vehicle in question was recently seized and confiscation proceeding is already going on, there is no reason to pass any order for provisionally release of the truck. The writ petition stands dismissed.

If so advised, the petitioner may pursue the confiscation proceeding.

(Rakesh Kumar, J)

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