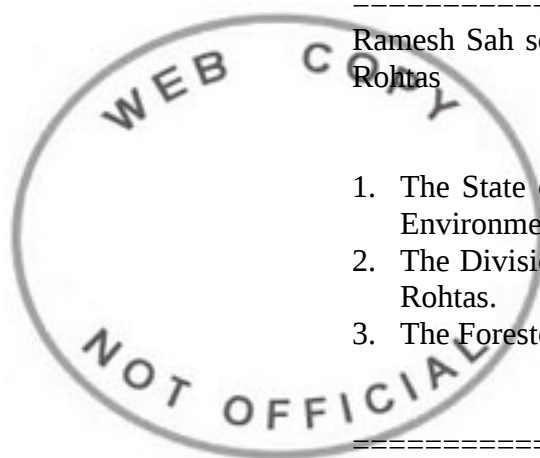




IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12356 of 2016

=====

Ramesh Sah son of Mani Sah resident of Village- Lalganj P.S.- Sasaram District-
Rohtas

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Forest and Environment, Bihar, Patna.
2. The Divisional Forest Officer-cum-Authorised Officer, Rohtas Forest Division, Rohtas.
3. The Forester Tilauthu Range, Rohtas (Sasaram).

.... Respondent/s

with

=====

Civil Writ Jurisdiction Case No. 12403 of 2016

=====

Shashi Bhushan Singh Son of Dhudheshwar Singh resident of village- Muzaffarpur,
P.S.-Shahar, District - Bhojpur at Ara.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Forest Department, Govt. of Bihar, Patna.
3. The Divisional Forest Officer, Rohtas at Sasaram.
4. The Forest Range Officer , Tilauthu, Rohtas at Sasaram.

.... Respondent/s

with

=====

Civil Writ Jurisdiction Case No. 12455 of 2016

=====

Dharmendra Kumar, aged about 25 son of Surendra Kumar resident of Village-
Muzaffarpur, P.S.- Shahar, District- Bhojpur at Ara.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Forest Department, Govt. of Bihar, Patna.
3. The Divisional Forest Officer, Rohtas at Sasaram
4. The Forest Range Officer, Tilauthu, Rohtas at Sasaram.

.... Respondent/s

with

=====

Civil Writ Jurisdiction Case No. 12557 of 2016

=====

Jai Prakash Singh Son of Late Man Lal Singh resident of Village- Meerganj Singh
Colony, P.S. Ara (Town), District- Bhojpur at Ara.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Forest Department, Govt. of Bihar, Patna.
3. The Divisional Forest Officer, Rohtas at Sasaram.

4. The Forest Range Officer, Tilauthu, Rohtas at Sasaram.

.... Respondent/s

with

Civil Writ Jurisdiction Case No. 18534 of 2016

Nagendra Singh son of Daroga Singh, Resident of Village- Balapur, P.O. Panjar, Police Station- Karghar, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Forest and Environment, Bihar, Patna.
2. The Divisional Forest Officer-cum-authorized Officer, Rohtas, Forest Division, Rohtas at Sasaram.
3. The Forester, Bikramganj Forest Range, District- Rohtas.

.... Respondent/s

with

Civil Writ Jurisdiction Case No. 18536 of 2016

Nand Lal Gupta son of Suresh Gupta, resident of village-Amra Talab, Police Station-Sasaram(M), District-Rohtas

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Forest and Environment, Bihar, Patna.
2. The Divisional Forest Officer-cum-authorized Officer, Rohtas, Forest Division, Rohtas at Sasaram.
3. The Forester, Tilauthu Range, Rohtas (Sasaram).

.... Respondent/s

Appearance:

(In CWJC No. 12356 of 2016)

For the Petitioner/s : Mr. Sanjay Kumar Tiwary
For the Respondent/s : Mr. SARVESH KR. SINGH- AAG13
Mr. Tej Pratap Singh, A.C. to AAG-13

(In CWJC No. 12403 of 2016)

For the Petitioner/s : Mr. Vipin Kumar Singh
For the Respondent/s : Mr. CHITRANJAN SINHA- PAAG2

(In CWJC No. 12455 of 2016)

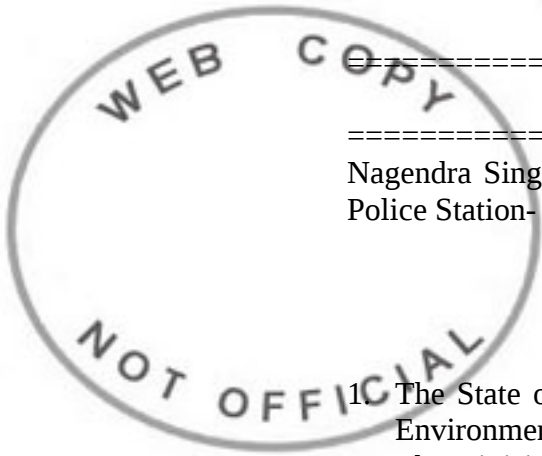
For the Petitioner/s : Mr. Vipin Kumar Singh
For the Respondent/s : Mr. GP21- AWANISH NANDAN SINHA

(In CWJC No. 12557 of 2016)

For the Petitioner/s : Mr. Vipin Kumar Singh
For the Respondent/s : Mr. DHURJATI KUMAR PRASAD-GP14

(In CWJC No. 18534 of 2016)

For the Petitioner/s : Mr. Sanjay Kumar Tiwary



For the Respondent/s : Mr. SARVESH KR. SINGH, AAG-13
Mr. Tej Pratap Singh, A.C. to AAG-13

(In CWJC No. 18536 of 2016)

For the Petitioner/s : Mr. Sanjay Kumar Tiwary

For the Respondent/s : Mr. ANANT PD. SINGH- SC15

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 19-11-2016

The petitioners in each of these writ petitions pray for a provisional release of their vehicle pending disposal of the confiscation case(s) instituted against them. While making such prayer, the petitioners do also admit that they have filed application in this regard before the Authorised Officer-cum-the Divisional Forest Officer, Rohtas, which remains pending.

Since in each of these cases the relief prayed by the petitioner is identical hence they have been taken up together for analogous hearing and disposal with the consent of the parties.

The individual grievance of the petitioner in each of the writ petitions are given hereinbelow:

(1) CWJC No. 12356 of 2016:

In this case the grievance of the petitioner is that his vehicle bearing Registration No. JH-05Y-3289 has been seized in Confiscation Case No.154(c) of 2016 arising from Forest Case No. 71 of 2016. It is also submitted that a release petition filed on 22.07.2016 seeking provisional release of the vehicle is pending disposal in the confiscation case.

(2) CWJC No. 12403 of 2016:

In this case the grievance of the petitioner is that his vehicle bearing Registration No. UP-65AT-2822 has been seized in Confiscation Case No.131 of 2016 arising from Forest Case No. 59 of 2016. It is also submitted that a release petition filed on 04.07.2016 seeking provisional release of the vehicle is pending disposal in the confiscation case.

(3) CWJC No. 12455 of 2016:

In this case the grievance of the petitioner is that his vehicle bearing Registration No. UP-67T/1924 has been seized in Confiscation Case No. 85 of 2016 arising from Forest Case No. 36 of 2016. It is also submitted that a release petition filed on 28.04.2016 seeking provisional release of the vehicle is pending disposal in the confiscation case.

(4) CWJC No. 12557 of 2016:

In this case the grievance of the petitioner is that his vehicle bearing Registration No. JH01Z/9861 has been seized in Confiscation Case No.139 of 2016(c) arising from Forest Case No. 61 of 2016. It is also submitted that a release petition filed on 04.07.2016 seeking provisional release of the vehicle is pending disposal in the confiscation case.

(5) CWJC No. 18534 of 2016:

In this case the grievance of the petitioner is that his vehicle bearing Registration No. 0R-02L-0884 has been seized in Forest Case No. 97 of 2016. It is also

submitted that a release petition seeking provisional release of the vehicle is pending disposal in the confiscation case.

(6) CWJC No. 18536 of 2016:

In this case the grievance of the petitioner is that his vehicle bearing Registration No. UP-65AR-4948 has been seized in Confiscation Case No.171 of 2016 arising from Forest Case No. 78 of 2016. It is also submitted that a release petition filed on 08.11.2016 seeking provisional release of the vehicle is pending disposal in the confiscation case.

Having heard learned counsel for the parties and considering the nature of relief prayed in the respective writ petitions, I deem it fit and proper to direct the Authorized Officer-cum-Divisional Forest Officer, Rohtas at Sasaram to consider and dispose of the application filed by the petitioner(s) seeking provisional release of their seized vehicles in question, in accordance with law and after hearing the parties bearing in mind the law settled on the issue and the order(s) passed by this Court on provisional release, expeditiously and preferably within three months from the date of receipt/production of a copy of this order.

S.Sb/-

(Jyoti Saran, J)

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