

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18473 of 2016

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1. Satyendra Singh @ Satendra Singh Son of Ramraj Singh, Resident of Village-Suba Bigha, P.S.- Dehri, District- Rohtas, At Present - C/o Kumar Pranay, Mirshikar Toli, Patna City, Patna.

.... Petitioner/s

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.

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 18822 of 2016

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1. Sunil Kumar Son of Deo Narayan Singh resident of Mohalla - Rajputana, P.O. + P.S. Dehri, 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 at Sasaram
3. The Forester, Darigaon Forest Range, Rohtas

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 18952 of 2016

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1. Chandradeep Singh, son of Late Raja Ram Singh, Resident of Village- Gopi Bigha, Police Station- Dehri, District- Rohtas.

.... Petitioner/s

Versus

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



.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 19318 of 2016

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1. Bijendra Kumar Vimal, Son of Dudheshwar Singh @ Sidheshwar Singh,
Resident of village - Muzaffarpur, P.S. Sahar, District - Bhojpur

.... Petitioner/s

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

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 19398 of 2016

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Birendra Kumar, son of Shiv Kumar Singh, resident of Mohalla Sanath Bigha, P.S.
Dalmiyanagar, District Rohtas

.... Petitioner/s

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

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 19433 of 2016

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1. Subodh Kumar Son of Ram Prasad Singh, Resident of Village- Amara Talab,
P.S.- 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-Authorised Officer, Rohtas, Forest Division,
Rohtas at Sasaram.
3. The Forester, (Darigaon Forest) Range, District- Rohtas.

.... Respondent/s

with



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Civil Writ Jurisdiction Case No. 19491 of 2016

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1. Kameshwar Prasad Gupta @ Kameshwar Sah Son of late Jitu Prasad Gupta
Resident of Village- Suara, Police Station- Dehri, 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

with

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Civil Writ Jurisdiction Case No. 19704 of 2016

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Shesh Nath Singh, son of Kedar Singh, resident of village East Mohanbigha, P.S.
Dalmiya Nagar, District- Rohtas

.... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Forest Department and Environment, Bihar, Patna
2. The Divisional Forest Officer - Cum - Authorized officer, Rohtas Forest Division, Sasaram, District - Rohtas
3. The forester, Tilauthu Range, Rohtas(Sasaram).

.... Respondent/s

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Appearance :

(In CWJC No. 18473 of 2016)

For the Petitioner/s : Mr. Rajani Kant Singh, Adv.

For the Respondent/s : Mr. Awanish Nandan Sinha- GP21

(In CWJC No. 18822 of 2016)

For the Petitioner/s : Mr. Sanjay Kumar Tiwary, Adv.

For the Respondent/s : Mr. Chittranjan Sinha- PAAG2

(In CWJC No. 18952 of 2016)

For the Petitioner/s : Mr. Rajani Kant Singh, Adv.

For the Respondent/s : Mr. Dhurjati Kumar Prasad- GP14

(In CWJC No. 19318 of 2016)

For the Petitioner/s : Mr. Rajani Kant Singh, Adv.

For the Respondent/s : Mr. Awanish Nandan Sinha-GP21

(In CWJC No. 19398 of 2016)

For the Petitioner/s : Mr. Sanjay Kumar Tiwary, Adv.

For the Respondent/s : Mr. Gajendra pd. Yadav- SC17

(In CWJC No. 19433 of 2016)

For the Petitioner/s : Mr. Sanjay Kumar Tiwary, Adv.

For the Respondent/s : Mr. Dhurjati Kumar Prasad-GP14



(In CWJC No. 19491 of 2016)

For the Petitioner/s : Mr. Sanjay Kumar Tiwary, Adv.

For the Respondent/s : Mr. Chitranjan Sinha, PAAG2

(In CWJC No. 19704 of 2016)

For the Petitioner/s : Mr. Sanjay Kumar Tiwary, Adv.

For the Respondent/s : Mr. Dhurjati kr. Prasad- GP14

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 09-12-2016

Heard learned counsel for the parties.

In all these cases the vehicle of these petitioners have been seized in a confiscation proceeding registered against them under the Indian Forest Act, 1927. The prayer made in each of these writ petitions is for provisional release of the vehicle seized in the confiscation proceeding (s) registered against the petitioners, pending disposal of the confiscation proceeding. It is the contention of the petitioners that a petition for provisional release remains pending before the Forest Officer-cum- Divisional Forest Officer, Rohtas at Sasaram in most of the cases.

In the nature of the relief so prayed in the writ petition, I deem it fit and proper to dispose of these batch of writ petitions with the direction to the Authorised Officer-cum-Divisional Forest Officer to consider and dispose of the confiscation proceedings which are subject matter of the present batch of cases in accordance with law and after opportunity of hearing to the petitioner(s) within a period of 3 months from today and in case the confiscation proceedings(s)



are not disposed of for reasons not attributable to the petitioner(s) within the period stipulated above, he should consider the prayer of the petitioner(s) herein for provisional release of their respective vehicles seized in the respective confiscation cases and dispose of such prayer within four weeks thereafter.

The writ petitions are disposed of accordingly.

(Jyoti Saran, J)

Bibhash/-

AFR	
CAV DATE	
Uploading Date	13.12.16
Transmission Date	

