

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19877 of 2016

=====

Arun Kumar Singh Son of Satyendra Singh Resident of Village-Subba Bigha, Rudrapura P.S.-Dehri, District-Rohtas, At Present-Matkuria, Dhanbad (Jharkhand)

.... 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

with

Civil Writ Jurisdiction Case No.19959 of 2016

=====

Nand Kishor Singh, son of Hari Krishna Singh, Resident of Mohalla-Company Sarai, Sasaram, P.S.- Sasaram, District- Rohtas. at present resident of Alinagar Mughalsarai, P.S.- Mughalsarai, District- Chandauli (U.P.)

.... 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

with

Civil Writ Jurisdiction Case No.20395 of 2016

=====

Suryanath Singh, son of Sri Ram Bilash Singh, resident of village and P.O. Suara, P.S. Dehri, District Rohtas

.... Petitioner

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 (Darigaon forest), Range, District Rohtas

.... Respondents

=====

Appearance :

(In CWJC No.19877 of 2016)

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

For the Respondent/s : Mr. Tej Pratap Singh, AC o AAG13

(In CWJC No.19959 of 2016)

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

For the Respondent/s : Mr. Nirbhay Prashant, AC to SC17



(In CWJC No.20395 of 2016)

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

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

=====

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL ORDER

2 23-12-2016 Heard learned counsel for the parties.

The writ petitioners in this batch of cases pray for provisional release of their vehicles seized in connection with confiscation cases (Confiscation Case No. 211/2016 arising out of Forest Case No. 119/2016, Confiscation Case No. 229/2016 arising out of Nokha P.S. Case No. 189/2016 and Forest Case No. 125/2016 respectively) instituted against each of the petitioners under the provisions of the Indian Forest Act, 1927.

It is not in dispute that the confiscation cases are pending since its institution. It is also not in dispute that the interim release petition has been filed by the petitioners in each of the cases for provisional release of their vehicles pending disposal of the confiscation case and which has not been disposed of as yet. It is in these circumstances the petitioners have come before this Court.

Having heard learned counsel for the parties and considering the nature of the grievance raised herein, I deem it fit and proper to direct the Divisional Forest Officer cum Authorized Officer, Rohtas at Sasaram to consider and dispose of the confiscation cases (Confiscation Case No. 211/2016 arising out of



Forest Case No. 119/2016, Confiscation Case No. 229/2016 arising out of Nokha P.S. Case No. 189/2016 and Forest Case No. 125/2016 respectively) instituted against these petitioners in accordance with law and after giving opportunity of hearing to the petitioners within a period of three months from the date of receipt/ production of a copy of this order and in case the confiscation cases instituted against the petitioners, for any reason not attributable to these petitioners, are not disposed of within the period stipulated above, then the Divisional Forest Officer cum Authorized Officer, Rohtas at Sasaram would consider the prayer of the petitioners for provisional release of the vehicles pending disposal of the confiscation proceedings in the light of the law laid down on the issue.

With the aforementioned observation and direction, all these writ petitions are disposed of.

(Jyoti Saran, J)

Surendra/-

U			
---	--	--	--

