

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2863 of 2017

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Ravi Kumar Singh, Son of Muktinath Singh, Resident of Village- Ropahatha, P.S.-
Nokha, 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 Office-cum-Authorized Officer, Rohtas Forest Division,
Sasaram, District- Rohtas.

.... Respondents

with

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Civil Writ Jurisdiction Case No. 3087 of 2017

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Manjee Yadav, Son of Mahendra Yadav, Resident of Village-Mungaon
(Sughardera), P.S.-Koran Sarai, District-Buxar.

.... 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

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Civil Writ Jurisdiction Case No. 3423 of 2017

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Manoj Kumar Singh, Son of Yogendra Singh, Resident of Mohalla - New Dilyan,
Dehri, P.S. Dehri, 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

with

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Civil Writ Jurisdiction Case No. 3567 of 2017

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Abhishek Kumar, Son of Hari Narayan Singh, Resident of Village- Navadera, P.S.
Dumraon, District- Buxar.

.... 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 Office-cum-Authorized Officer, Rohtas Forest Division, Sasaram, District- Rohtas.

.... Respondents

with

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Civil Writ Jurisdiction Case No. 3787 of 2017

=====

Anup Kumar Singh Son of Dilip Singh, Resident of Village-61 Khapda, P.S.- Akorhigola, District-Rohtas At Present Lal Bazar, Govindpur, Dhanbad, District-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

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Civil Writ Jurisdiction Case No. 3880 of 2017

=====

Narendra Kumar S/o Dinanath Singh, Resident of Village-Barka More, P.S.- Sasaram (M), 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, Rohtas.

.... Respondents

with

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Civil Writ Jurisdiction Case No. 5339 of 2017

=====

Ashok Kumar Singh Son of Baliram Singh, Resident of Village- Gansadih, P.O.- Jaipur, Police Station- Sasaram (M), 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, Tilauthu, Rohtas.

.... Respondents

with



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Civil Writ Jurisdiction Case No. 6266 of 2017

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Amit Kumar, son of Ram Kumar Gupta, resident of village + P.O. Parasi, P.S. Parasi, District Arwal, Bihar

.... 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, Tilauthu, Rohtas.

.... Respondents

with

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Civil Writ Jurisdiction Case No. 6497 of 2017

=====

Sanjay Kumar Son of late Jagarnath Sah Resident of Village- Bansa, P.S. Sasaram (M), 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

with

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Civil Writ Jurisdiction Case No. 11802 of 2017

=====

Anil Kumar Gupta son of Shiv Kumar Sah resident of village - Bishrampur, P.S. Sasaram, 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, Rohtas at Sasaram.
4. The Ranger Officer, Sasaram Forest Area, District Rohtas at Sasaram.

.... Respondents

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Appearance :

(In CWJC No.2863 of 2017)

For the Petitioner/s : Mr. Rajani Kant Singh

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

(In CWJC No.3087 of 2017)

For the Petitioner/s : Mr. Rajani Kant Singh

For the Respondent/s : Mr. Anant Pd. Singh-SC15

(In CWJC No.3423 of 2017)

For the Petitioner/s : Mr. Rajani Kant Singh

For the Respondent/s : Mr. Sarvesh Kumar Singh-AAG13



(In CWJC No.3567 of 2017)

For the Petitioner/s : Mr. Rajani Kant Singh

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

(In CWJC No.3787 of 2017)

For the Petitioner/s : Mr. Rajani Kant Singh

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

(In CWJC No.3880 of 2017)

For the Petitioner/s : Mr. Sanjay Kumar Tiwary

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

(In CWJC No.5339 of 2017)

For the Petitioner/s : Mr. Sanjay Kumar Tiwary

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

(In CWJC No.6266 of 2017)

For the Petitioner/s : Mr. Sanjay Kumar Tiwary

For the Respondent/s : Mr. Sarvesh Kumar Singh-AAG13

(In CWJC No.6497 of 2017)

For the Petitioner/s : Mr. Surendra Kumar Mishra

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

(In CWJC No.11802 of 2017)

For the Petitioner/s : Mr. Rameshwar Singh

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

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 08-12-2017

Heard learned counsel for the parties.

In each of these cases confiscation cases instituted against the petitioners under the Indian Forest Act, 1927 are pending. The complaint of the petitioners is that delayed disposal of the confiscation case is acting adverse to the condition of the vehicle, which is rotting by the day lying under open sky.

Learned counsel for the petitioners have submitted that though the petitioners have filed application for provisional release before the Authorized Officer cum Divisional Forest Officer concerned but neither the confiscation case has been disposed of nor the petition for provisional release and hence, these writ petitions.

Having heard learned counsel for the parties and



considering that the confiscation case remains pending before the Authorized Officer cum Divisional Forest Officer concerned together with the petition for provisional release, I deem it proper to dispose of all these writ petitions with a direction to the Authorized Officer cum Divisional Forest Officer concerned to consider and dispose of the confiscation case instituted against the respective petitioner in accordance with law within a period of three months from the date of receipt/ production of a copy of this order and in case he is unable to dispose of the confiscation case for reasons not attributable to these petitioners, then he should consider the application filed by these petitioners for provisional release of their vehicle and dispose of the same in accordance with law preferably within a period of four weeks of expiry of the period stipulated above, on such terms and conditions and on furnishing of such security as deem fit and proper but which shall not be in form of cash or bank guarantee.

All these writ petitions are disposed of accordingly with the observations/ directions above.

(Jyoti Saran, J)

Surendra/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	13.12.2017
Transmission Date	NA

