

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.544 of 2018

=====

Dhanesh Kumar S/o Ram Subhag Singh, R/o Village- Gopi Bigha
Rudrapur, 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 District Magistrate, Rohtas at Sasaram.
3. The Divisional Forest Officer Cum Authorized Officer, Rohtas Forest Division, Sasaram, District- Rohtas.
4. The Forest Range officer, Tilauthu, District- Rohtas.

.... Respondents

=====

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra

For the Respondent/s : Mr. Raghwanand (Ga11)

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2. 16-03-2018

Heard learned counsel for the petitioner and
learned counsel representing the State.

Petitioner has prayed for release of the
vehicle (Truck) bearing registration no. BR-26C-1271 in
favour of the petitioner in connection with Forest Case No.
67/2017 (corresponding to Confiscation Case No.
160/2017) for the offences under Section 33, 41 and 42 of
the Forest Act.

Learned counsel for the petitioner submits
that the petitioner is ready and willing to abide by the
terms and conditions which may be imposed by this Court
for provisional release of the vehicle in question.

In the facts and circumstances, pending
initiation or finalization of the confiscation proceeding, let
the vehicle, if belongs to the petitioner, be released
provisionally on production of proof of ownership and



registration of the vehicle in his favour subject to the following conditions:-

(i) Petitioner shall furnish a surety bond of Rs. 15,00,000/- (Fifteen Lakhs only) (not in form of cash or Bank guarantee) with two sureties of the like amount to the satisfaction of learned Court below or the Collector-cum-District Magistrate, Rohtas at Sasaram, as the case may be.

(ii) Petitioner shall furnish an undertaking that he would not alienate or encumber the vehicle or deal with them adverse to the interest of the State and shall produce the vehicle before the court below and/or the Collector-cum-District Magistrate, Rohtas at Sasaram, as and when directed.

(iii) A photograph of the vehicle shall be taken and panchnama be also prepared, certified and be kept on record in accordance with law.

This application is, accordingly, disposed off.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

U		T	
---	--	---	--

