

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.829 of 2018

Arising Out of PS.Case No. -null Year- null Thana -null District- SASARAM (ROHTAS)

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Mithilesh Choudhary, Son of Late Sheo Bachan Chaudhary, resident of Village-
Darekhap, P.S.- Nasriganj, 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 Forestor (Special), Sasaram Forest Region, District- Rohtas.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Rajni Kant Singh

For the Respondent/s : Mr. Awanish Nandan Sinha

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

Date: 03-05-2018

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-24GA-3307 in favour of the
petitioner in connection with Forest Case No. 06/2018 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 within a week
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 Divisional Forest Officer-cum-Authorised Officer, Rohtas Forest Division, Sasaram, district – Rohtas.

(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 Divisional Forest Officer-cum-Authorised Officer, Rohtas Forest Division, Sasaram, district – Rohtas, 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/-

AFR/NAFR	
CAV DATE	
Uploading Date	04.05.2018
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