

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1276 of 2018

Arising Out of PS.Case No. -null Year- null Thana -null District- GAYA

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Uday Prasad @ Uday Yadav son of late Sudarshan Yadav resident of village -
Kandi Nawada, P.S. Chandauti, District - Gaya.

.... Petitioner

Versus

1. The State of Bihar through the Secretary Department of Forest and Environment,
Govt. of Bihar, New Secretariat, Patna.
2. The Authorized Officer-cum-Divisional Forest Officer, Gaya Sadar, Forest
Range, Gaya.
3. The District Forest Officer, Gaya.
4. The District Magistrate, Gaya.
5. The Forest Range Officer, Gaya.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Kamlesh Kumar
Dr. Binod Kumar Jha
Mr. Kahkashan Alam

For the Respondent/s : Mr. Awanish Nandan Sinha, G.P.21

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL JUDGMENT

Date: 07-05-2018

It seems that final order of confiscation has already been passed in this case and the petitioner had challenged the same before the appellate authority but the appellate authority also affirmed the order of confiscation, thereafter the petitioner has preferred a revision being Case No. 12/2016 which is pending before the Secretary, Department of Forest and Environment, Government of Bihar, Patna. The writ application is however silent as to whether or not the petitioner has moved the revisional authority seeking provisional release of the vehicle in question.



Since the revision application is pending, on the petitioners filing an application for provisional release of the vehicle in question before the revisional authority, the same shall be considered and disposed of within a period of 30 days from the date of filing of such application.

While disposing of the application for provisional release the revisional authority shall keep in mind the judicial pronouncements on the subject passed by this court as well as the Hon’ble Apex Court in the matter of provisional release of the vehicle in the present circumstance.

The writ application stands disposed off.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

AFR/NAFR	
CAV DATE	
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