

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1565 of 2017

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Vivek Prakash Singh, Son of Rang Bahadur Singh, Resident of Village-
Dhanpurwa, Police Station- Sasaram, District- Rohtas at Sasaram.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Forest Department, Government of Bihar, Patna.
3. The Divisional Forest Officer-cum- Authorised Officer, Rohtas at Sasaram.
4. The Forest Range Officer Tilauthu, Rohtas at Sasaram.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vipin Kumar Singh

For the Respondent/s : Mr. Lokesh Kumar Singh, AC to AAG-13

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

4 21-02-2018 Learned counsel for the petitioner does not press this application as regards quashing of the Forest Case bearing no.54 of 2017.

Learned counsel for the petitioner submits that the confiscation proceeding being Confiscation Case No.122 of 2017 is still pending before the Authorized Officer-cum-Divisional Forest Officer, Rohtas at Sasaram.

Pending finalization of confiscation proceeding, let the vehicle Truck bearing Reg.No.JH10S/3569, which has been seized in connection with Forest Case No.54 of 2017, District-Rohtas, be released provisionally on production of proof of ownership and registration of the vehicle in favour of the petitioner subject to the



following conditions:-

(i) Petitioner shall furnish a surety (not in form of cash or Bank guarantee) of Rs. 20,00,000/- (twenty lakhs) with two sureties of like nature to the satisfaction of the authority concerned.

(ii) The petitioner shall also give an undertaking that he will not deal with the vehicle in question and shall not alienate or encumber the same creating any kind of adverse interest against the interest of the State, he will not use the vehicle for any illegal purpose and as and when required, he will produce the vehicle in question before the competent court/authority.

(iii) At the time of release, the concerned authority/court shall get prepared a photograph duly certified in presence of the petitioner and panchnama of the vehicle in question shall also be prepared and keep the same on record which



may be used as secondary evidence.

(iv) Petitioner undertakes not to challenge the said photograph and panchnama so prepared in his presence at the time of release of vehicle in question for use in course of trial or the confiscation proceeding, as the case may be.

The application stands disposed of.

(Rajeev Ranjan Prasad, J)

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