

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.2345 of 2016

In
Civil Writ Jurisdiction Case No.14132 of 2016

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Birendra Prasad Gupta S/o Mahesh Prasad R/o village - Garahani, P.S.
Garahani, District - Bhojpur

... .. Appellant/s

Versus

1. The State Of Bihar through the Principal Secretary, Forest Department,
Government of Bihar, Patna.
2. The Chief Conservator of Forest Bihar, Patna
3. The District Magistrate, Rohtas, Sasaram
4. The Authorized Officer Cum Divisional Forest officer, Rohtas, Sasaram
5. The District Forest Officer, Rohtas, Sasaram.
6. The Range Officer, Sasaram Forest Area at Sasaram.
7. The Forester, Tilauthu Cum Darigaon, Forest Circle District Rohtas

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Vipin Kumar Singh
For the Respondent/s : Mr.Sarvesh Kr.Singh-Aag13

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 15-03-2019 Heard learned counsel for the parties.

It is pointed out that the issue raised in this appeal is now concluded by the decision of the Larger Bench vide judgement dated 1st of November, 2018 that has been incorporated and followed by our Division Bench in the case of Baleshwar Roy Vs. State of Bihar & Ors., 2019 (2) BLJ 147.

Consequently, in view of what has already been held, we dispose of this appeal with liberty to the appellant to



approach the concerned District Magistrate for passing an appropriate order within six weeks provided the appellant furnishes the security bond to the satisfaction of the District Magistrate, who shall pass the order in relation to the release or otherwise.

In the event the matter of confiscation is pending before the Divisional Forest Officer/Authorized Officer or before the concerned Secretary of the Department before whom the revision is pending they shall pass appropriate orders within six weeks from the date of production of a copy of this order.

Accordingly, the appeal stands disposed of.

(Amreshwar Pratap Sahi, CJ)

(Anjana Mishra, J)

Saif/Jagdish/-

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