

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.290 of 2017

In

Civil Writ Jurisdiction Case No.1643 of 2017

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Amit Kumar Son of Nand Kishore Singh, Resident of Mohalla-Gandhi Nagar,
P.S.-Sasaram, District-Rohtas

... .. Appellant/s

Versus

1. The State Of Bihar through the Principal Secretary, Forest Department,
Govt. of Bihar, Patna ,
2. The District Magistrate, Rohtas at Sasaram.
3. The Divisional Forest Officer-cum-Authorized Officer, Rohtas Forest
Division, Sasaram, District - Rohtas

... .. Respondent/s

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with

Letters Patent Appeal No. 292 of 2017

In

Civil Writ Jurisdiction Case No.1649 of 2017

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Anil Kumar Son of Manikchand Sah Resident of Village- Baijla, P.S.-
Sasaram M, District- Rohtas.

... .. Appellant/s

Versus

1. The State Of Bihar through the Principal Secretary, Forest Department,
Govt. of Bihar, Patna ,
2. The State of Bihar through the Principal Secretary, Forest Department,
Government of Bihar, Patna.
3. The District Magistrate, Rohtas at Sasaram.

... .. Respondent/s

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with

Letters Patent Appeal No. 291 of 2017

In

Civil Writ Jurisdiction Case No.815 of 2017

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Ramjee Singh Son of Ram Pyare Singh Resident of Village - Jogadih, Police
Station - Tilauthu, District - Rohtas.

... .. Appellant/s

Versus

1. The State Of Bihar through the Principal Secretary, Forest Department,
Govt. of Bihar, Patna ,
2. The District Magistrate, Rohtas at Sasaram.



3. The Divisional Forest Officer-cum-Authorised Officer, Rothas Forest Division, Sasaram, District - Rohtas

... .. Respondent/s

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with
Letters Patent Appeal No. 294 of 2017
In
Civil Writ Jurisdiction Case No.1256 of 2017

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Saroj Kumar Son of Lal Bahadur Singh Resident of Village- Dhanpurwa, P.S.- Sasaram, District- Rohtas.

... .. Appellant/s

Versus

1. The State Of Bihar through the Principal Secretary, Forest Department, Govt. 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 Forestor Tilauthu Cum Darigaon, Forest Circle, District- Rohtas.

... .. Respondent/s

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with
Letters Patent Appeal No. 295 of 2017
In
Civil Writ Jurisdiction Case No.1249 of 2017

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Ram Babu Singh Son of Shivbachan Singh Resident of Village- Nayaka Goan, P.S. Sasaram, District- Rohtas.

... .. Appellant/s

Versus

1. The State Of Bihar through the Principal Secretary, Forest Department, Govt. 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 Forestor Tilauthu Cum Darigaon, Forest Circle, District- Rohtas.

... .. Respondent/s



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with
Letters Patent Appeal No. 293 of 2017
In
Civil Writ Jurisdiction Case No.1453 of 2017

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Chandan Patel Son of Uma Shankar Singh Resident of Village- Chitaon,
Police Station- Dinara, District- Rohtas.

... .. Appellant/s

Versus

1. The State Of Bihar through the Principal Secretary, Forest Department, Govt. of Bihar, Patna ,
2. The District Magistrate, Rohtas at Sasaram.
3. The Divisional Forest Officer-cum-Authorized Officer, Rohtas Forest Division, Sasaram, District- Rohtas

... .. Respondent/s

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with
Letters Patent Appeal No. 299 of 2017
In
Civil Writ Jurisdiction Case No.1191 of 2017

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Sanjay Singh Son of Suryanath Singh Resident of Village- Inarpatpur, P.O.
P.S. -Piro, District- Bhojpur.

... .. Appellant/s

Versus

1. The State Of Bihar through the Principal Secretary, Forest Department, Govt. 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 Forestor Tilauthu Cum Darigaon, Forest Circle, District- Rohtas.

... .. Respondent/s

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with
Letters Patent Appeal No. 297 of 2017
In
Civil Writ Jurisdiction Case No.1170 of 2017

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Sonu Kumar Singh Son of Bipin Singh Resident of Mohalla- New Area, Ward
No. 34, P.S.- Sasaram, District- Rohtas.



... .. Appellant/s

Versus

1. The State Of Bihar through the Principal Secretary, Forest Department, Govt. 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 Forestor Tilauthu Cum Darigaon, Forest Circle, District- Rohtas.

... .. Respondent/s

with

Letters Patent Appeal No. 298 of 2017
In
Civil Writ Jurisdiction Case No.1295 of 2017

Sunil Kumar Singh Son of Paras Singh Resident of Village- Dhandah, P.S. Sasaram, District- Rohtas.

... .. Appellant/s

Versus

1. The State Of Bihar through the Principal Secretary, Forest Department, Govt. 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 Forestor Tilauthu Cum Darigaon, Forest Circle, District- Rohtas.

... .. Respondent/s

with

Letters Patent Appeal No. 296 of 2017
In
Civil Writ Jurisdiction Case No.1233 of 2017

Prem Lata Devi Wife of Ram Bachan Singh Resident of Village- Mishripur, Dhanpurwa, P.S.- Sasaram, District- Rohtas.

... .. Appellant/s

Versus

1. The State Of Bihar through the Principal Secretary, Forest Department,



Govt. 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

with
Letters Patent Appeal No. 14 of 2018
In
Civil Writ Jurisdiction Case No.3969 of 2017

Shailendra Singh S/o Shyam Narayan Singh, Resident of Village Kanchanpur,
P.S.- Sasaram M, District- Rohtas.

... .. Appellant/s

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 Superintendent of Police, Rohtas.
4. The Divisional Forest Officer- cum- authorised Officer, Rohtas, Forest Division, Rohtas at Sasaram.

... .. Respondent/s

with
Letters Patent Appeal No. 13 of 2018
In
Civil Writ Jurisdiction Case No.6590 of 2017

Dharmendra Kumar Son of Surendra Kumar Singh resident of Village Muzaffarpur, P.S. Sahar, District - Bhojpur.

... .. Appellant/s

Versus

1. The State Of Bihar through the Principal Secretary, Department of Forest and Environment, Bihar Patna
2. The Divisional Forest Officer-cum-Authorised Officer, Rohtas, Forest Division, Rohtas at Sasaram.
3. The Forester, Tilauthu, Forest Range, Rohtas.

... .. Respondent/s



with
Letters Patent Appeal No. 301 of 2017
In
Civil Writ Jurisdiction Case No.1255 of 2017

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Santosh Kumar Son of Late Jay Narayan Singh resident of Mohalla - New Area, Sasaram, P.S. - Sasaram, District - Rohtas.

... .. Appellant/s

Versus

1. The State Of Bihar through the Principal Secretary, Forest Department, Govt. 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 at 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 :

(In Letters Patent Appeal No. 290 of 2017)

For the Appellant/s : Mr.Rajani Kant 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 these appeals are 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 these appeals with liberty to the appellants to approach the concerned District Magistrate for passing an appropriate order within six weeks provided the appellants furnish 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 appeals stand disposed of.

(Amreshwar Pratap Sahi, CJ)

(Anjana Mishra, J)

Saif/Jagdish/-

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