

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1802 of 2016

In
Civil Writ Jurisdiction Case No.13361 of 2015

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Sanjay Prasad Alias Sanjay Singh son of Keshav Prasad Resident of Village -
Dhanpurwa, New Area, Sasaram, P.S. - Sasaram, District - Rohtas. At present
C/o Daya Shankar Singh, Chandanpur, Bela Jakkanpur, Patna.

... .. Appellant/s

Versus

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

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Rajani Kant Singh
For the Respondent/s : Mr.Subhash Chandra Yadav- Gp15

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

(Per: HONOURABLE THE CHIEF JUSTICE)

4 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 application stands disposed of.

(Amreshwar Pratap Sahi, CJ)

(Anjana Mishra, J)

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