

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.250 of 2017

In

Civil Writ Jurisdiction Case No.1657 of 2017

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Rajdeo Singh son of Ram Dayal Singh, resident of Village- Islamganj, Police Station- Dehri, District- Rohtas.

... .. 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, Rohtas.

... .. Respondent/s

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with

Letters Patent Appeal No. 260 of 2017

In

Civil Writ Jurisdiction Case No.337 of 2017

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Ashok Kumar son of Dudheshwar Singh, resident of Village- Muzaffarpur, Police Station- Agiaon, District- Bhojpur.

... .. Appellant/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Forest Department, Govt. of Bihar, Patna.
3. The Divisional Forest Officer, Rohtas at Sasaram.
4. The Forest Range Officer, Tilauthu, Rohtas at Sasaram.

... .. Respondent/s

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with

Letters Patent Appeal No. 259 of 2017

In

Civil Writ Jurisdiction Case No.1486 of 2017

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Rinku Kumar Keshri Son of Girija Prasad Keshri, Resident of Village- Amara Talab, Police Station-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 Divisional Forest Officer-cum-Authorized Officer, Rohtas Forest Division, Rohtas at Sasaram.



3. The Forester Tilauthu, Rohtas.

... .. Respondent/s

with
Letters Patent Appeal No. 255 of 2017
In
Civil Writ Jurisdiction Case No.963 of 2017

Ashok Kumar Son of Dudheshwar Singh, resident of Village- Muzaffarpur,
Post- Baruhi, Police Station- Sahar, District- Bhojpur.

... .. Appellant/s

Versus

1. The State Of Bihar through 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, Rohtas.

... .. Respondent/s

with
Letters Patent Appeal No. 261 of 2017
In
Civil Writ Jurisdiction Case No.1189 of 2017

Chandan Kumar Son of Ramashray Singh, Resident of Village-Jamuhar,
Police Station-Dehri, District-Rohtas.

... .. 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-Authorized Officer, Rohtas Forest Division, Rohtas. at Sasaram.
3. The Forester Tilauthu, Rohtas.

... .. Respondent/s

with
Letters Patent Appeal No. 263 of 2017
In
Civil Writ Jurisdiction Case No.1636 of 2017

Santosh Kumar Gupta son of Doma Sah, Resident of Village- Amara Talab,
Police Station- Sasaram M, District- Rohtas.

... .. Appellant/s

Versus



1. The State Of Bihar and Ors
2. The Divisional Forest Officer-cum-Authorised Officer, Rohtas, Forest Division, Rohtas at Sasaram.
3. The Forester Tilauthu, Rohtas.

... .. Respondent/s

with
Letters Patent Appeal No. 251 of 2017
In
Civil Writ Jurisdiction Case No.721 of 2017

Vijendra Kumar Vimal Son of Dudheshwar Singh, resident of village - Chakiya, P.S. Paliganj, District Patna Presently Vill. Muzaffarpur, P.S. Agiaon, District - Bhojpur

... .. Appellant/s

Versus

1. The State Of Bihar through the Principal Secretary, Forest Department, Govt. of Bihar, Patna
2. The Principal Secretary, Forest Department, Govt. of Bihar, Patna
3. The Divisional Forest Officer, Rohtas at Sasaram
4. The Forest Range Officer, Tilauthu, Rohtas at Sasaram

... .. Respondent/s

with
Letters Patent Appeal No. 262 of 2017
In
Civil Writ Jurisdiction Case No.1001 of 2017

Jagdish Chaurasiya Son of Late Nagina Chauraisya, resident of village - Nari, Post - Baghi, Police Station - 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, Rohtas.

... .. Respondent/s

Appearance :

(In Letters Patent Appeal No. 250 of 2017)

For the Appellant/s : Mr.Sanjay Kumar Tiwary

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

(In Letters Patent Appeal No. 260 of 2017)



For the Appellant/s : Mr.Sanjay Kumar Tiwary
For the Respondent/s : Mr.Sarvesh Kumar Singh- Aag13
(In Letters Patent Appeal No. 259 of 2017)
For the Appellant/s : Mr.Sanjay Kumar Tiwary
For the Respondent/s : Mr.Sarvesh Kumar Singh- Aag13
(In Letters Patent Appeal No. 255 of 2017)
For the Appellant/s : Mr.Sanjay Kumar Tiwary
For the Respondent/s : Mr.Sarvesh Kumar Singh- Aag13
(In Letters Patent Appeal No. 261 of 2017)
For the Appellant/s : Mr.Sanjay Kumar Tiwary
For the Respondent/s : Mr.Sarvesh Kumar Singh- Aag13
(In Letters Patent Appeal No. 263 of 2017)
For the Appellant/s : Mr.Sanjay Kumar Tiwary
For the Respondent/s : Mr.Sarvesh Kumar Singh- Aag13
(In Letters Patent Appeal No. 251 of 2017)
For the Appellant/s : Mr.Sanjay Kumar Tiwary
For the Respondent/s : Mr.Sarvesh Kumar Singh- Aag13
(In Letters Patent Appeal No. 262 of 2017)
For the Appellant/s : Mr.Sanjay Kumar Tiwary
For the Respondent/s : Mr.Sarvesh Kumar Singh- Aag13

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)

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