

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.15 of 2018

In

Civil Writ Jurisdiction Case No.5339 of 2017

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Ashok Kumar Singh Son of Baliram Singh Resident of Village - Gansadih,
P.O. Jaipur, 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 Divisional Forest Officer-cum-Authorised Officer, Rohtas, Forest Division, Rohtas at Sasaram.
3. The Forester, Tilauthu, Forest Range, Rohtas.

... .. Respondent/s

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with

Letters Patent Appeal No. 19 of 2018

In

Civil Writ Jurisdiction Case No.5031 of 2017

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Baliram Singh Son of Late Shiv Pujan Singh, resident of Village- Gopi Bigha,
P.S.- Dehri, 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

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with

Letters Patent Appeal No. 21 of 2018

In

Civil Writ Jurisdiction Case No.6266 of 2017

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Amit Kumar son of Ram Kumar Gupta, resident of Village and P.O.- Parasi,
P.S. Parasi, District Arwal, Bihar.

... .. 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. 23 of 2018
In
Civil Writ Jurisdiction Case No.6619 of 2017

Dharmendra Kumar son of Surendra Kumar Singh, resident of Village- Muzaffarpur, P.S. Sadar, 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. 18 of 2018
In
Civil Writ Jurisdiction Case No.6579 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 Forestor, Tilauthu, Forest Range, Rohtas.

... .. Respondent/s

with
Letters Patent Appeal No. 37 of 2018
In
Civil Writ Jurisdiction Case No.2862 of 2017

Chandan Kumar Son of Ramashish Sao, Resident of Village- Amara Talab, 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 District Magistrate, Rohtas at Sasaram.
3. The Divisional Forest Office-cum-Authorized Officer, Rohtas Forest Division, Sasaram, District- Roh

... .. Respondent/s

with

Letters Patent Appeal No. 53 of 2018

In

Civil Writ Jurisdiction Case No.2760 of 2017

Ashok Kumar Singh Son of Raj Ballabh Singh, Resident of Mohalla- New Area, Dehri, P.S.- Dehri, District- Rohtas. at present resident of Lalmatiya Road, Godda Jharkhand.

... .. 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

with

Letters Patent Appeal No. 17 of 2018

In

Civil Writ Jurisdiction Case No.3802 of 2017

Manoj Kumar Singh Son of Dinanath 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. 49 of 2018
In
Civil Writ Jurisdiction Case No.2863 of 2017

Ravi Kumar Singh Son of Muktinath Singh, Resident of Village- Ropahatha,
P.S.- Nokha, 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 Office-cum-Authorized Officer, Rohtas Forest
Division, Sasaram, District- Rohtas

... .. Respondent/s

with
Letters Patent Appeal No. 68 of 2018
In
Civil Writ Jurisdiction Case No.6968 of 2017

Rajesh Kumar Singh son of Jagdeo Singh, resident of Village- Gyani Bigha,
P.O. Gotpa, Police Station Agrer, 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. 22 of 2018
In
Civil Writ Jurisdiction Case No.9205 of 2017

Sanjay Kumar Gupta son of Ram Jee Sah, resident of- 131 Gram Simrol,
TEHMHOW, Indaur, M.P. at Present resident of Mohalla- Yusuf Takiya, P.O.
and P.S.- Sasaram, 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 Divisional Forest Officer-cum- Authorised Officer, Rohtas, Forest Division, Rohtas at Sasaram.

... .. Respondent/s

with
Letters Patent Appeal No. 32 of 2018
In
Civil Writ Jurisdiction Case No.2689 of 2017

Kameshwar Sah @ Kameshwar Prasad Gupta son of Late Jitu Sah, resident of Village- Suara, P.S. 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

with
Letters Patent Appeal No. 16 of 2018
In
Civil Writ Jurisdiction Case No.3625 of 2017

Rajesh Kumar Son of Chandrama Singh Resident of Village Jaipur, 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 Divisional Forest Officer-cum-Authorized Officer, Rohtas Forest Division, Rohtas at Sasaram.
4. The Forester, Tilauthu, Forest Range, Rohtas.

... .. Respondent/s

with



Letters Patent Appeal No. 67 of 2018
In
Civil Writ Jurisdiction Case No.17645 of 2017

Ramesh Yadav Son of Ram Raj Singh, Resident of Village- Nooranganj, P.S.-
Sasaram, 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 Divisional Forest Officer-cum-Authorised Officer, Rohtas Forest Division, Rohtas at Sasaram.
4. The Forester, Tilauthu, Rohtas.

... .. Respondent/s

Appearance :

(In Letters Patent Appeal No. 15 of 2018)

For the Appellant/s : Mr.Sanjay Kumar Tiwary

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

(In Letters Patent Appeal No. 19 of 2018)

For the Appellant/s : Mr.Sanjay Kumar Tiwary

For the Respondent/s : Mr.Serveshe Kr.Singh -Aag13

(In Letters Patent Appeal No. 21 of 2018)

For the Appellant/s : Mr.Sanjay Kumar Tiwary

For the Respondent/s : Mr.Serveshe Kr.Singh -Aag13

(In Letters Patent Appeal No. 23 of 2018)

For the Appellant/s : Mr.Sanjay Kumar Tiwary

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

(In Letters Patent Appeal No. 18 of 2018)

For the Appellant/s : Mr.Sanjay Kumar Tiwary

For the Respondent/s : Mr.Serveshe Kr.Singh -Aag13

(In Letters Patent Appeal No. 37 of 2018)

For the Appellant/s : Mr.Rajani Kant Singh

For the Respondent/s : Mr.Serveshe Kr.Singh -Aag13

(In Letters Patent Appeal No. 53 of 2018)

For the Appellant/s : Mr.Rajani Kant Singh

For the Respondent/s : Mr.Serveshe Kr.Singh -Aag13

(In Letters Patent Appeal No. 17 of 2018)

For the Appellant/s : Mr.Sanjay Kumar Tiwary

For the Respondent/s : Mr.Serveshe Kr.Singh -Aag13

(In Letters Patent Appeal No. 49 of 2018)

For the Appellant/s : Mr.Rajani Kant Singh

For the Respondent/s : Mr.Chittaranjan Sinha-Paag2

(In Letters Patent Appeal No. 68 of 2018)

For the Appellant/s : Mr.Sanjay Kumar Tiwary

For the Respondent/s : Mr.Serveshe Kr.Singh -Aag13

(In Letters Patent Appeal No. 22 of 2018)

For the Appellant/s : Mr.Sanjay Kumar Tiwary

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

(In Letters Patent Appeal No. 32 of 2018)



For the Appellant/s : Mr.Sanjay Kumar Tiwary
For the Respondent/s : Mr.Sarvesh Kumar Singh- Aag13
(In Letters Patent Appeal No. 16 of 2018)
For the Appellant/s : Mr.Sanjay Kumar Tiwary
For the Respondent/s : Mr.Sarvesh Kumar Singh- Aag13
(In Letters Patent Appeal No. 67 of 2018)
For the Appellant/s : Mr.Sanjay Kumar Tiwary
For the Respondent/s : Mr.Sarvesh Kr.Singh -Aag13

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

(Per: HONOURABLE THE CHIEF JUSTICE)

5 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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