

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Letters Patent Appeal No.311 of 2017**

**In**

**Civil Writ Jurisdiction Case No.12816 of 2016**

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Raj Kumar son of Bindeshwari Prasad resident of Mohalla - Bal Govind  
Bigha Dehri, P.S. - Dehri, 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. 334 of 2017**

**In**

**Civil Writ Jurisdiction Case No.1972 of 2017**

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Sanjay Singh Son of Survansh Singh, Resident of Village- Kuraich Mahavir  
Asthan Sasaram, P.S.- Sasaram Model, District- Rohtas.

... .. Appellant/s

Versus

1. The State Of Bihar through the Principal Secretary, Forest Department,  
Govt. of Bihar, Patna
2. The Distinct 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. 338 of 2017**

**In**

**Civil Writ Jurisdiction Case No.2009 of 2017**

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Surendra Kumar Son of Yamuna Singh, Resident of Village- Pachpokhari,  
P.S.- Pachpokhari, District- Rohtas. At present C/O Radheshyam Amara,  
Sikarganj, District- Chandauli U.P..

... .. 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. 336 of 2017**  
**In**  
**Civil Writ Jurisdiction Case No.740 of 2017**

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Ladum Singh Son of Badan Singh, Resident of Village- Lohradih, P.S.-  
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-Authorized Officer, Rohtas Forest Division, Sasaram, District- Rohtas

... .. Respondent/s

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with  
**Letters Patent Appeal No. 337 of 2017**  
**In**  
**Civil Writ Jurisdiction Case No.1760 of 2017**

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Rajesh Kumar Singh Son of Late Surya Keshwar Singh, Resident of Mohalla-  
Mahavir Asthan Kuraich, Sasaram, P.S.- Sasaram Model, 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. 335 of 2017**  
**In**  
**Civil Writ Jurisdiction Case No.1755 of 2017**

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Surendra Singh Son of Lal Mohar Singh, Resident of Village- Chatar, P.S.-  
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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**Appearance :**

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 1<sup>st</sup> 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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