

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.392 of 2017

In

Civil Writ Jurisdiction Case No.12953 of 2016

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Awadhesh Chaudhary son of Gupteshwar Chaudhary Resident of 36 Ganv
Chaugai, P.S.- Chaugai, District- Buxar.

... .. 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, Rohtas Division,
Sasaram, District- Rohtas.

... .. Respondent/s

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with

Letters Patent Appeal No. 394 of 2017

In

Civil Writ Jurisdiction Case No.2548 of 2017

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Md. Shamim Ahmad Ansari Son of Md. Abdul Rauf resident of Dhatkidih
Market, Bistupur Jamshedpur, 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- Ro

... .. Respondent/s

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with

Letters Patent Appeal No. 396 of 2017

In

Civil Writ Jurisdiction Case No.12986 of 2016

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Vir Pratap Singh son of Babab Singh, resident of Mohalla 10/8 Ganpat Bangla
Road Kolkatta

... .. 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- Ro



... .. Respondent/s

with
Letters Patent Appeal No. 395 of 2017
In
Civil Writ Jurisdiction Case No.12838 of 2016

Munni Ji Yadav Son of Algu Yadav Resident of Sharda Bhawan, Main Road,
Kankarbagh, Patna.

... .. 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 - R

... .. Respondent/s

with
Letters Patent Appeal No. 393 of 2017
In
Civil Writ Jurisdiction Case No.2342 of 2017

Kaushlendra Kumar Son of Ialan Sharma Resident of Village- Latta, P.S.
Pouthu, District- Aurangabad. At present resident of T.P. Nagar, Rawa Bhata,
Raipur, District- Raipur Chhatisgarh. Pin- 0726085

... .. 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- Ro

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Rajani Kant Singh
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)

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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