

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.327 of 2017

In

Civil Writ Jurisdiction Case No.2091 of 2017

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Nagendra Singh Son of Sri Janeshwar Singh, Resident of village - Gopi Bigha, Police Station Dehri, District - Rohtas at Sasaram, At Present Ghooghari Tand, Madhusudan Colony, Road No. 5, Gaya, District - Gaya

... .. 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 at Sasaram
4. The Officer - in - Charge, Dehri Town Police Station, Dehri, District - Rohtas at Sasaram

... .. Respondent/s

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with

Letters Patent Appeal No. 339 of 2017

In

Civil Writ Jurisdiction Case No.1805 of 2017

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Ram Kumar Son of Late Onkar Nath Gupta, Resident of Village- Pali Road, 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. 357 of 2017

In

Civil Writ Jurisdiction Case No.11016 of 2016

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Ravi Kumar son of Ram Prasad Singh, resident of village- Pranpur, P.S.- Dinara, District- Rohtas. at present resident of Mohalla- Daldali Road, Bakarganj, 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- Rohtas

... .. Respondent/s

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with
Letters Patent Appeal No. 333 of 2017
In
Civil Writ Jurisdiction Case No.1530 of 2017

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Saroj Kumar Gupta Son of Shankar Sah, Resident of Village- Amratalab, 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, 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. 351 of 2017
In
Civil Writ Jurisdiction Case No.2522 of 2017

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Manoj Kumar S/o Kameshwar Singh, Resident of Village- Dharahara, P.S.P.O.- Dharihat, 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 Darigaon, Rohtas.

... .. Respondent/s

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with
Letters Patent Appeal No. 355 of 2017
In
Civil Writ Jurisdiction Case No.8569 of 2016

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Pradip Singh son of Harshu Dayal Singh, resident of Village- Mathiya, 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

with

Letters Patent Appeal No. 356 of 2017

In

Civil Writ Jurisdiction Case No.8424 of 2016

Ful Kumari Devi wife of Harihar Singh, resident of Village- Manoharpur,
P.S.- Itarhi, 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 Authorized Officer, Rohtas Forest
Division, Sasaram, District- Rohtas

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Raghunandan Kumar Singh
For the Respondent/s : Mr.Sarvesh Kumar Singh- Aag13
(In Letters Patent Appeal No. 339 of 2017)
For the Appellant/s : Mr.Sanjay Kumar Tiwary
For the Respondent/s : Mr.Sarvesh Kr.Singh-Aag13
(In Letters Patent Appeal No. 357 of 2017)
For the Appellant/s : Mr.Rajani Kant Singh
For the Respondent/s : Mr.Sarvesh Kr.Singh-Aag13
(In Letters Patent Appeal No. 333 of 2017)
For the Appellant/s : Mr.Vipin Kumar Singh
For the Respondent/s : Mr.Sarvesh Kr.Singh-Aag13
(In Letters Patent Appeal No. 351 of 2017)
For the Appellant/s : Mr.Sanjay Kumar Tiwary
For the Respondent/s : Mr.Sarvesh Kr.Singh-Aag13
(In Letters Patent Appeal No. 355 of 2017)
For the Appellant/s : Mr.Rajani Kant Singh
For the Respondent/s : Mr.Sarvesh Kr.Singh-Aag13
(In Letters Patent Appeal No. 356 of 2017)



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)

Jagdish/-Saif

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