

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.444 of 2017

In

Civil Writ Jurisdiction Case No.2500 of 2017

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Bhaiya Ram Singh Son of Late Mohan Singh, Resident of Village- Mahadeva,
P.O.- Jamuhar, 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 Chief Conservator of Forest, Bihar, Patna.
3. The District Magistrate Rohtas, Sasaram.
4. The Authorized Officer-cum-Divisional Forest Officer, Rohtas Sasaram.
5. The District Forest Officer, Rohtas at Sasaram.
6. The Range Officer Sasaram Forest Area at Sasaram.
7. The Forester Tilauthu-cum- Darigaon, Forest Circle, District- Rohtas.

... .. Respondent/s

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with

Letters Patent Appeal No. 425 of 2017

In

Civil Writ Jurisdiction Case No.866 of 2016

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Aklu Sah Son of Teju Sah, resident of village - Beruar, P.O. Derwan, P.S.
Kudra, District - Kaimur

... .. 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, Sasaram

... .. Respondent/s

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with

Letters Patent Appeal No. 424 of 2017

In

Civil Writ Jurisdiction Case No.653 of 2017

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Devmuni Ram Son of Uma Shankar Ram, resident of village - Dumariya, P.S.
Akorigola, District - Rohtas

... .. Appellant/s

Versus



1. The State Of Bihar through the Principal Secretary, Forest Department, Govt. of Bihar, Patna
2. The Chief Conservator of Forest Bihar, Patna.
3. The District Magistrate, Rohtas, Sasaram
4. The Authorized Officer - Cum - Divisional Forest Officer, Rohtas Sasaram
5. The District Forest officer, Rohtas at Sasaram
6. The Range Officer Sasaram Forest Area at Sasaram
7. The Forester, Tilauthu - Cum - Darigaon, Forest Circle, District Rohtas

... .. Respondent/s

with
Letters Patent Appeal No. 443 of 2017
In
Civil Writ Jurisdiction Case No.2528 of 2017

Sanjay Singh Son of Gopal Singh, Resident of Village- Deliyen, P.S.- Sasaram, District- Rohtas.

... .. Appellant/s

Versus

1. The State Of Bihar through the Principal Secretary, Forest Department, Govt. of Bihar, Patna
2. The Chief Conservator of Forest, Bihar, Patna.
3. The District Magistrate Rohtas, Sasaram.
4. The Authorised Officer-cum-Divisional Forest Officer, Rohtas at Sasaram.
5. The District Forest Officer, Rohtas at Sasaram.
6. The Range Officer Sasaram Forest Area at Sasaram.
7. The Forester Tilauthu-cum- Darigaon, Forest Circle, District- Rohtas.

... .. Respondent/s

with
Letters Patent Appeal No. 447 of 2017
In
Civil Writ Jurisdiction Case No.13695 of 2016

Hari Narayan Kumar son of Suresh Yadav, Resident of Mohalla- Ward No.35, Sasaram, P.S.- Sasaram, District- Rohtas.

... .. Appellant/s

Versus

1. The State Of Bihar through the Principal Secretary, Forest Department, Govt. of Bihar, Patna
2. The Chief Conservator of Forest, Bihar, Patna.
3. The District Magistrate Rohtas, Sasaram.



4. The Authorized Officer-cum-Divisional Forest Officer, Rohtas Sasaram.
5. The District Forest Officer, Rohtas at Sasaram.
6. The Range Officer Sasaram Forest Area at Sasaram.
7. The Forester Tilauthu-cum-Darigaon, Forest Circle, District- Rohtas.

... .. Respondent/s

with
Letters Patent Appeal No. 428 of 2017
In
Civil Writ Jurisdiction Case No.2353 of 2017

Lalan Kumar Son of Mahendra Singh, Resident of village - Mardiya, P.S.
Nasriganj, District - Rohtas

... .. Appellant/s

Versus

1. The State Of Bihar through the Principal Secretary, Forest Department,
Govt. of Bihar, Patna
2. The Chief Conservator of Forest Bihar, Patna.
3. The District Magistrate, Rohtas, Sasaram
4. The Authorized Officer - Cum - Divisional Forest Officer Rohtas, Sasaram
5. The District Forest officer, Rohtas at Sasaram
6. The Range Officer Sasaram Forest Area at Sasaram.
7. The Forester Tilauthu - Cum - Darigaon, Forest Circle, District - Rohtas

... .. Respondent/s

with
Letters Patent Appeal No. 426 of 2017
In
Civil Writ Jurisdiction Case No.2381 of 2017

Anil Kumar Son of Suresh Shaw, Resident of village - Admapur, P.S.
Sasaram, District - Rohtas

... .. Appellant/s

Versus

1. The State Of Bihar through the Principal Secretary, Forest Department,
Govt. of Bihar, Patna
2. The Chief Conservator of Forest Bihar, Patna.
3. The District Magistrate, Rohtas, Sasaram
4. The Authorized Officer - Cum - Divisional Forest Officer Rohtas, Sasaram
5. The District Forest officer, Rohtas at Sasaram
6. The Range Officer Sasaram Forest Area at Sasaram



7. The Forester Tilauthu - Cum - Darigaon, Forest Circle, District - Rohtas

... .. Respondent/s

with
Letters Patent Appeal No. 423 of 2017
In
Civil Writ Jurisdiction Case No.15416 of 2016

Rakesh Singh Son of Kaur Singh, Resident of village - Sonadih, P.S. Karghar,
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 Sasaram

... .. Respondent/s

with
Letters Patent Appeal No. 453 of 2017
In
Civil Writ Jurisdiction Case No.1239 of 2017

Amit Kumar S/o- Ram Sakal Singh, R/o Village- Gopi Bigha, 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 Chief Conservator of Forest, Bihar, Patna.
3. The District Magistrate, Rohtas, Sasaram.
4. The Authorized Officer Cum Divisional Forest Officer Rohtas, Sasaram.
5. The District Forest Officer, Rohtas at Sasaram.
6. The Range Officer Sasaram Forest Area at Sasaram.
7. The Forester Tilauthu Cum Darigaon, Forest Circle, District- Rohtas.

... .. Respondent/s

Appearance :

(In Letters Patent Appeal No. 444 of 2017)

For the Appellant/s : Mr.Vipin Kumar Singh

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

(In Letters Patent Appeal No. 425 of 2017)

For the Appellant/s : Mr.Vipin Kumar Singh

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



(In Letters Patent Appeal No. 424 of 2017)

For the Appellant/s : Mr.Vipin Kumar Singh

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

(In Letters Patent Appeal No. 443 of 2017)

For the Appellant/s : Mr.Vipin Kumar Singh

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

(In Letters Patent Appeal No. 447 of 2017)

For the Appellant/s : Mr.Vipin Kumar Singh

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

(In Letters Patent Appeal No. 428 of 2017)

For the Appellant/s : Mr.Vipin Kumar Singh

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

(In Letters Patent Appeal No. 426 of 2017)

For the Appellant/s : Mr.Vipin Kumar Singh

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

(In Letters Patent Appeal No. 423 of 2017)

For the Appellant/s : Mr.Vipin Kumar Singh

For the Respondent/s : Mr.

(In Letters Patent Appeal No. 453 of 2017)

For the Appellant/s : Mr.Vipin Kumar 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)

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