

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.226 of 2017

In

Civil Writ Jurisdiction Case No.172 of 2017

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Ram Prakash Singh Son of Ram Nath Singh, resident of Ward No. 23,
Bhabhua, P.S. Bhabhua T , District - Kaimur

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

... .. Respondent/s

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with

Letters Patent Appeal No. 227 of 2017

In

Civil Writ Jurisdiction Case No.200 of 2017

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Ram Prakash Singh Son of Ram Nath Singh, resident of Ward No. 23,
Bhabhua, P.S. Bhabhua T , District - Kaimur At Present resident of village -
Guniya, P.S. Chainpur, District - Kaimur

... .. 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 :

(In Letters Patent Appeal No. 226 of 2017)

For the Appellant/s : Mr.Rajani Kant Singh

For the Respondent/s : Mr.Sarvesh Kumar 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 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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