

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.459 of 2017

In

Civil Writ Jurisdiction Case No.18183 of 2016

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Sunil Kumar Singh son of Nandjee Singh, Resident of Mohalla- Japliganj,
Ballia, P.S.- Kotwali, District- Ballia.

... .. 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 Authorised Officer, Rohtas, Sasaram.

... .. Respondent/s

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with

Letters Patent Appeal No. 460 of 2017

In

Civil Writ Jurisdiction Case No.15741 of 2016

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Deepak Kumar S/o- Lalan Singh, Resident of Mohalla- Subhash Nagar, P.S.-
Dehri, 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 Authorised Officer Rohtas, Sasaram.

... .. Respondent/s

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with

Letters Patent Appeal No. 465 of 2017

In

Civil Writ Jurisdiction Case No.6991 of 2016

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Sunil Kumar Sharma S/o Lalan Sharma, R/o Village - Chanp, P.S. - Akorhi
Goal, 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, Sasaram.
6. The Range Officer Sasaram Forest Area at Sasaram.
7. The Forestor Tilauthu Cum Darigaon, Forest Circle District - Rohtas.

... .. Respondent/s

with
Letters Patent Appeal No. 471 of 2017
In
Civil Writ Jurisdiction Case No.14065 of 2016

Md. Imtihan Son of Md. Wahab Miyan, Resident of Village- Puto, Police Station- Chandwara, District- Koderma 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- Rohtas

... .. Respondent/s

with
Letters Patent Appeal No. 473 of 2017
In
Civil Writ Jurisdiction Case No.13742 of 2016

Nawal Yadav son of Jagdish Yadav, Resident of Village- Dumari, P.S.- Tilaiya, District- Koderma 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 Authorized Officer- Cum- Divisional Forest Officer Rohtas, Sasaram.

... .. Respondent/s

with
Letters Patent Appeal No. 511 of 2017
In
Civil Writ Jurisdiction Case No.13523 of 2016



Md. Akbar Shekh son of Abdul Shakur resident of Village and P.S. -
Kachhawan, 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. 624 of 2017

In

Civil Writ Jurisdiction Case No.2450 of 2017

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Sonu Kumar Son of Jagnarayan Singh, Resident of village - Ghatmapur, P.S.
Sasaram, District - Rohtas at Sasaram

... .. 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. 821 of 2017

In

Civil Writ Jurisdiction Case No.9832 of 2016

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Nand Kumar Singh Son of Nathuni Singh. Resident of Pali Road, Sheoganj,
Police Station- 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- Authorized Officer, Rohtas Forest Division, Sasaram, District- Rohtas

... .. Respondent/s

with
Letters Patent Appeal No. 1841 of 2017
In
Civil Writ Jurisdiction Case No.3787 of 2017

Anup Kumar Singh Son of Dilip Singh, Resident of Village-61 Khapda, P.S.- Akorhigola, District-Rohtas At Present Lal Bazar, Govindpur, Dhanbad, District-Dhanbad 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 - Rohtas

... .. Respondent/s

Appearance :

(In Letters Patent Appeal No. 459 of 2017)

For the Appellant/s : Mr.Vipin Kumar Singh

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

(In Letters Patent Appeal No. 460 of 2017)

For the Appellant/s : Mr.Vipin Kumar Singh

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

(In Letters Patent Appeal No. 465 of 2017)

For the Appellant/s : Mr.Rajani Kant Singh

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

(In Letters Patent Appeal No. 471 of 2017)

For the Appellant/s : Mr.Vipin Kumar Singh

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

(In Letters Patent Appeal No. 473 of 2017)

For the Appellant/s : Mr.Vipin Kumar Singh

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

(In Letters Patent Appeal No. 511 of 2017)

For the Appellant/s : Mr.Rajani Kant Singh

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

(In Letters Patent Appeal No. 624 of 2017)

For the Appellant/s : Mr.Vipin Kumar Singh

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

(In Letters Patent Appeal No. 821 of 2017)

For the Appellant/s : Mr.Rajani Kant Singh

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

(In Letters Patent Appeal No. 1841 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)

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