

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.380 of 2017

In

Civil Writ Jurisdiction Case No.14105 of 2016

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Sunil Kumar Chaudhary Son of Parasnath Chaudhary, Resident of Mohalla-Bhartiganj, Sasaram, P.S.-Sasaram, 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

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with

Letters Patent Appeal No. 370 of 2017

In

Civil Writ Jurisdiction Case No.15442 of 2016

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Nagendra Chaudhary S/o- Ram Raj Chaudhary, Resident of Village-Admapur, P.S.- Sasaram, 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, Sasaram.
3. The Divisional Forest Officer-Cum-Authorized Officer, Rohtas, Sasaram.

... .. Respondent/s

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with

Letters Patent Appeal No. 375 of 2017

In

Civil Writ Jurisdiction Case No.14091 of 2016

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Ramesh Kumar Singh S/o Brij Bilash Singh, R/o Village- Barahiya Bag, Sasaram, P.S.- Sasaram, 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. 385 of 2017

In

Civil Writ Jurisdiction Case No.1049 of 2017

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Santosh Kumar Son of Jagan Singh, Resident of Village-Shankarpur Beheria
Bigha, P.O. Station-Indrapuri, 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. 383 of 2017

In

Civil Writ Jurisdiction Case No.2209 of 2017

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Anup Kumar Gupta Son of Kanhaiya Prasad, Resident of Mohalla-East
Mohan Bigha Dehri-on-Sone, Police Station-Dehri-on-Sone, 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 Forest
Division, Rohtas.
4. The Forester, Tilauthu, Range, Rohtas.Sasaram.

... .. Respondent/s

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with

Letters Patent Appeal No. 386 of 2017

In

Civil Writ Jurisdiction Case No.2384 of 2017

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Nagendra Singh Son of Shiv Pukar Singh, Resident of Village-Nagar Gate,
Dehri, 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 District Magistrate, Rohtas at Sasaram.
3. The Divisional Forest Officer-cum-Authorized Officer, Rohtas Forest Division, Rohtas at Sasaram.
4. The Forester, Tilauthu, Rohtas.

... .. Respondent/s

with
Letters Patent Appeal No. 388 of 2017
In
Civil Writ Jurisdiction Case No.507 of 2017

Dayanand Sharma Son of Keshwar Sharma, Resident of Village-Muslim Tola,
Jay Nagar, Badkagon, P.S.-Hazaribagh, District-Hazaribagh.

... .. 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

Appearance :

(In Letters Patent Appeal No. 380 of 2017)

For the Appellant/s : Mr.Vipin Kumar Singh

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

(In Letters Patent Appeal No. 370 of 2017)

For the Appellant/s : Mr.Vipin Kumar Singh

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

(In Letters Patent Appeal No. 375 of 2017)

For the Appellant/s : Mr.Vipin Kumar Singh

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

(In Letters Patent Appeal No. 385 of 2017)

For the Appellant/s : Mr.Sanjay Kumar Tiwary

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

(In Letters Patent Appeal No. 383 of 2017)

For the Appellant/s : Mr.Sanjay Kumar Tiwary

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

(In Letters Patent Appeal No. 386 of 2017)

For the Appellant/s : Mr.Sanjay Kumar Tiwary

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

(In Letters Patent Appeal No. 388 of 2017)

For the Appellant/s : Mr.Vipin Kumar Singh

For the Respondent/s : Mr.Sarvesh Kumar 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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