

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
Criminal Writ Jurisdiction Case No.3258 of 2018**

Arising Out of PS. Case No.-73 Year-2013 Thana- SANGRAMPUR District- Munger

Dharmendra Kumar Singh Son of Ranjit Prasad Singh, Resident of Village-
Mohjura, P.S.- Sangrampur, District- Munger.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Forest and Environment, Government of Bihar, Patna
2. The Divisional Forest Officer-cum-Authorized Officer, Munger Forest Division, Munger.
3. The Forester Munger within District Forest Officer, Munger, District- Munger.
4. The Officer-in-Charge S.H.O. of Tatiabambar, District- Munger.

... .. Respondents

Appearance :

For the Petitioner/s : Mr. Pranav Kumar Jha, Advocate
For the Respondent/s : Mr. Sarvesh Kumar Singh, AAG-13

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 30-09-2020 Learned counsel for the petitioner submits that from the counter affidavit it has transpired that final order has already been passed in the confiscation proceeding. In that view of the matter, learned counsel submits that the petitioner may be granted liberty to prefer statutory appeal before the competent authority and in case such a statutory appeal is preferred and question of limitation arises the same be considered keeping in view that the petitioner was pursuing his remedy before this Court under some bonafide belief.

Mr. Sarvesh Kumar Singh, learned AAG-13 appears on behalf of the State and has no objection if the petitioner is seeking to avail the statutory remedy of appeal before the competent authority.

In the aforesaid circumstance, this writ application is



being disposed of without going into the merit of the contentions of the petitioner with liberty to petitioner to prefer an appeal before the appellate authority within a period of 30 days from today. In case such an appeal is preferred before the competent authority, the same will be considered on its own merit and the question of limitation, if any, arises in course of the said appeal the same will be considered keeping in view that the petitioner was pursuing his remedy before this Court under some bonafide belief, therefore his case requires to be considered on its own merit.

The petitioner will also be at liberty to file an appropriate application for release of the vehicle in question before the appellate authority and if such an application is preferred, the appellate authority shall consider the same and will dispose of within a period of 60 days from the date of filing of such application.

This writ application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

