

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**

**W.P.(C) No. 4149 of 2020**

Kulbinder Singh

..... ... Petitioner

-Versus-

1. The State of Jharkhand
2. The Officer-in-Charge, Mandu (Kujju) Police Station, District- Ramgarh
3. Divisional Forest Officer, Ramgarh Forest Division, Ramgarh

.... .... Respondents

**CORAM : HON'BLE MR. JUSTICE RAJESH SHANKAR**

For the Petitioner : Mr. Soumitra Baroi, Advocate

For the State : Mr. Arun Kumar Dubey, A.C. to G.P.-III

**Order No. 05**

**Dated: 18.08.2021**

The present case is taken up today through video conferencing.

**2.** The present writ petition has been filed for issuance of direction upon the respondents to release the petitioner's truck being registration no. JH-02AK-6296 which has been seized in connection with Mandu (Kujju) P.S. Case No. 87 of 2020 pending in the court of Additional Chief Judicial Magistrate, Ramgarh for the alleged offences under Sections 414/34 of the Indian Penal Code, Section 30(ii) of the Coal Mines Act and Section 33 of Indian Forest Act for which confiscation proceeding being Confiscation Case No. 116 of 2020 has been initiated at the instance of the respondent no. 3- the Divisional Forest Officer, Ramgarh Forest Division, Ramgarh.

**3.** A counter affidavit has been filed on behalf of the respondent no. 3 stating inter alia that the owner of the truck in question has not appeared in the said confiscation case and has also not filed show cause reply in the same as a result of which, the said case is pending adjudication before the respondent no. 3. It has also been stated in the said counter affidavit that if the petitioner claiming himself to be the owner of the truck in question appears before the respondent no. 3 and files show cause reply, the said confiscation case shall be concluded expeditiously.

**4.** Considering the aforesaid stand taken in the counter affidavit filed on behalf of the respondent no. 3, without entering into the merit of the case, the petitioner is directed to file his show cause reply in Confiscation Case No. 116 of 2020 pending before the respondent no. 3 by 16.09.2021. On filing of the said show cause reply by the petitioner, the respondent no. 3 shall proceed to hear the matter and shall dispose of the said confiscation proceeding by passing a reasoned order in accordance with law within one month thereafter.

**5.** The writ petition is accordingly disposed of with aforesaid direction.

Ritesh/

**(Rajesh Shankar, J.)**