

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22645 of 2016

Arising Out of PS.Case No. -24 Year- 2013 Thana -HARNAUT District- NALANDA
(BIHARSHARIFF)

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1. Kiran Devi S/o Devi Prasad, Wife of Ajablal Yadav R/o Village-Shahpur, PS Harnatu (Gokulpur O.P) District Nalanda , Presently R/Vill-Bhatha,PS Harnatu, Distt Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ajablal yadav Son of late Chandrika Yadav R/o Vill- Sahpur, PS Harnaut (Gokulpur O.P) District Nalanda.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Anjani Pd. Singh

For the Opposite Party/s : Mr. Tapeswar Sharma(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

4 16-11-2016 Heard learned counsel for the petitioner. No one appears on behalf of opposite party No. 2 in spite of receipt of notice.

This cancellation petition has been filed in connection with Cr. Misc. No. 17949 of 2013 in which, opposite party No. 2 was granted privilege of anticipatory bail by this court in Harnaut (Gokhulpur O.P.) P.S. Case No. 24 of 2013 vide order dated 08-08-2013 taking note of settlement arrived at between the parties but learned counsel appearing for the petitioner points out that the opposite party No. 2 is not giving possession of land to the petitioner and that is the reason, the petitioner has come before this court.

It appears from perusal of the order dated 08-08-2013 passed in Cr. Misc. No. 17949 of 2013 that the opposite party No. 2 was granted privilege of anticipatory bail on the ground that some lands will be given in exclusive possession of the petitioner but now, grievance of the petitioner is that the opposite party No. 2 is not giving possession of the aforesaid land to the petitioner.

In my view, the petitioner may take help of local police to get possession of the aforesaid land in the light of settlement, arrived at between her and opposite party No. 2.

Accordingly, this petition stands disposed off. However, the petitioner may approach the Superintendent of Police, Nalanda at Bihar Sharif for taking help for getting possession of the lands in question in the light of order dated 08-08-2013 and if, the petitioner does so, the Superintendent of Police, Nalanda at Bihar Sharif shall enquire into the matter and take proper steps so that the order dated 08-08-2013 could be complied with.

(Hemant Kumar Srivastava, J)

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