

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79468 of 2024

Arising Out of PS. Case No.-298 Year-2024 Thana- LAHERIMUHALLA District- Nalanda

Anish Tiwari @ Manish Kumar @ Rajiv Ranjan Son of Ganesh Kumar
Tiwari Resident of village -House No23, Ward No. 12, Puri, PO -Pawapuri,
PS -Giriyak, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Subodh Kumar Jha, Advocate
	:	Mr. Pranav Kumar Jha, Advocate
For the State	:	Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

5 16-05-2025 Heard Mr. Subodh Kumar Jha, learned counsel for the petitioner and Mr. Jitendra Kumar Singh, learned APP for the State as also Mr. Aman Ranjan, learned counsel representing the informant.

2. The petitioner is an accused in connection with Laheri P.S. Case No. 298 of 2024 for the offence punishable under Sections 417, 419, 420, 467 and 468 of the Indian Penal Code, lodged on 27.06.2024 by the informant Swastika Pandey.

3. The informant is the cousin sister of the petitioner, the dispute relates to the property belonging to Devanti Devi @ Demyanti Devi and on the basis of registered deed, the petitioner chose to get it transferred and accordingly having come to know about it, the present case was lodged.



4. The case took a long journey, was earlier sent to the mediation centre where the mediation failed. However, before this Court and at the time of final hearing, the good sense prevailed upon the petitioner, he wanted some time to file supplementary affidavit to take positive steps in the matter. In view of the said positive response given by the petitioner, this Court granted provisional bail to him for two months.

5. Now the supplementary affidavit has come duly signed by the father, Ganesh Kumar Tiwari in which it has been stated that after release from the jail, he went to the office of the Circle Officer, Biharsharif to enquire about the matter and to further submit an application to return the property in question to Devanti Devi @ Demyanti Devi. It then came to notice that the land now stands in the name of Devanti Devi vide an order dated 30.10.2024 in **Mutation Appeal No. 275 of 2024-25 (Devanti Devi vs. The Circle Officer, Biharsharif and Ors.)**.

6. The document has been filed and is on record. The further undertaking is there in paragraph nos. 7 and 8 of the supplementary affidavit and read as follows:

“7. That it is stated that since the order of the Hon’ble Court has been complied and the land in question bearing Khata No. 799, Plot No.



5175 measuring an Area 69.75 decimal has been restored in the name of Devanti Devi @ Demyanti Devi the Original Land Holder.

8. That, it is stated that the petitioner took efforts to settle the dispute and came to know that the land has already been restored in the name of original land holder and the petitioner undertakes that he will not make any objection in future with regard to the property in question in any manner.”

7. Learned counsel for the petitioner submits that they are own family members, have amicably settled the dispute and further undertaking has been given that even then, if the petitioner tries to take a different view, the lady will have the liberty to take immediate steps for cancellation of his bail bonds.

8. Learned counsel for the informant submits that for the mental agony, she is entitled to some compensation. This Court is of the opinion that for the said compensation she is well advised to take appropriate steps and file appropriate petition before an appropriate authority/competent court.

9. In view of the aforesaid development and



undertaking, the land has now been restored, the F.I.R. is there, the petitioner will have to face the trial, in that background, the provisional granted to him on 26.03.2025 stands confirmed.

10. The lady Swastika Pandey will always have the liberty to take steps for cancellation of his bail bond if he takes a different route from what has been undertaken in the present petition.

11. The petition is disposed of.

(Rajiv Roy, J)

vinayak/-

U		T	
---	--	---	--

