

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23373 of 2019

Arising Out of PS. Case No.-499 Year-2018 Thana- BHABHUA District- Kaimur (Bhabua)

Kush Kumar Singh @ Kush Singh, son of late Umesh Prasad, Resident of Village Sheon, P.S. Bhabua, Distt. Kaimur (Bhabua)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Savita Devi, wife of Amitabh Pandey, Village Baurai, P.S. Chainpur, Distt. Kaimur (Bhabua).

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ravi Shankar Sahay, Advocate
For the State	:	Mr. Md. Arif, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 22-07-2019

Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends arrest in connection with Bhabua P.S. Case No. 499 of 2018 dated 03.07.2018 instituted under Sections 420/120B/467/468/47/406 of the Indian Penal Code.

4. Learned counsel for the petitioner submitted that eight more similar nature of cases have been filed against him as also his wife and mother. It was submitted that the lands in question were ancestral land and were to be divided among the petitioner, his wife, his mother and step mother and, thus, whatever share comes in the part of the petitioner, it can be adjusted with regard to



whatever land the other co-accused, who had the Power of Attorney from the petitioner had sold to the informant. However, learned counsel submitted that the compromise has also been filed in the Court below on 01.09.2018. It was submitted that on the basis of the same, in six cases he has been granted anticipatory bail.

5. Learned APP after going through the case diary submitted that in view of compromise, the petitioner should move the Court below itself after surrendering.

6. Having considered the matter, the Court finds that once the informant has filed a compromise stating such fact before the Court, the Court is required to take such compromise into consideration.

7. Accordingly, the petitioner may surrender before the Court below and pray for regular bail relying upon all points available to him, especially the fact that the informant has already filed compromise petition before the Court. If the same is done within six weeks from today, the Court below shall consider the case, in accordance with law, taking into consideration the compromise filed by the informant and pass appropriate orders, without being prejudiced by the present order.



8. The application stands disposed off in the
aforementioned terms.

(Ahsanuddin Amanullah, J)

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