

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63102 of 2023

Arising Out of PS. Case No.-672 Year-2023 Thana- PHULWARISHARIF District- Patna

Md. Amem Alam @ Md. Ameen Alam, Son Of Jawed Alam @ Jawaaid Alam
Resident Of 1st Floor, House No.A-55, Road No.B/6, Ali Nagar Colony, P.S. -
Gardanibagh, District - Patna

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Khalid Ezaz, Son Of Late Md. Shafayat Resident Of Flat No.307, Shafa
Mansion, Mohalla - Samanpur, P.S. - Shastrinagar, District - Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Madhukar Anand
For the Opposite Party/s	:	Mr.Nityanand
		Mr.Jha Vikram
		Dr. Mallika Nawal

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

8 18-03-2024 1. Heard learned counsel for the petitioner, learned
counsel for the opposite party no.2 and learned APP for the
State.

2.The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 406, 420, 467, 506 and 34 of the Indian Penal
Code.

3.The learned counsel for the parties have jointly
submitted that on intervention of well-wishers, the dispute in
between the petitioner and the opposite party no.2 stands



resolved amicably.

4. The learned counsel for the petitioner submits that petitioner is willing to give a flat measuring 1250 square feet along with parking in H.V. Tower Block-C. It is next submitted that number of the Flat is 201. It is also submitted that petitioner shall return an amount of Rs.2,35,212/- to the opposite party no.2 on account of the fact that flat, which is being handed over to the opposite party no.2 is smaller by 170 square feet than what was agreed originally, as such, the amount is being returned to compensate the said shortage. It is next submitted by the learned counsel for the petitioner that the sale deed with respect to the flat in question along with the parking would be executed in favour of the opposite party no.2 by 18.05.2024, but the amount shall be returned within a period of one week from today i. e. latest by 27.03.2024.

5. The learned counsel for the opposite party no.2, for the present, does not oppose the anticipatory bail application and submits that in the event, if the amount, as agreed, is returned and the flat along with the parking is



executed within the time frame, in that event, the opposite party no.2 shall withdraw the instant criminal case.

6. Learned A.P.P. opposes the bail application.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.2,000/- (Rupees Two Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-XIV, Patna in connection with Phulwarishariff P. S. Case No.672 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

8. The application stands allowed.

(Satyavrat Verma, J)

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