

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12175 of 2025

Arising Out of PS. Case No.-1520 Year-2024 Thana- PHULWARISHARIF District- Patna

Md. Amem Alam Son of Javed Alam Resident of Mohalla - House No.- A/55,
First Floor, Road No.- B6 Alinagar Colony, Gardanibag, P.S.- Gardanibag,
Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramji Kumar, Advocate

For the Opposite Party/s : Mr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 28-03-2025 Heard Mr. Ramji Kumar, learned counsel appearing
on behalf of the petitioner and Mr. Ajit Kumar, learned APP for
the State.

2. The petitioner seeks pre-arrest bail in connection
with Phulwarisharif P.S. Case No. 1520/2024 registered for the
offence(s) punishable under Sections 316(2) and 318(4) of BNS.

3. As per the allegation made in the FIR, the
informant has deposited a sum of rupees twenty fifty lacs by
account payee cheque on different dates for registration of a flat
in the year 2016 but the petitioner neither executed the sale
deed, nor returned the aforesaid money to the informant.

4. Learned counsel appearing on behalf of petitioner
seeks liberty to file a fresh anticipatory bail application before



the learned District Court in view of the instruction received by him that petitioner is ready to deposit the entire amount which has been transferred into the account of the petitioner by the informant in the year 2016, along with interest, having failed to hand over the flat in favour of the informant.

5. Considering the aforesaid submission made on behalf of the petitioner, the petitioner, if so advise, may avail remedy before the learned District Court by filing fresh anticipatory bail application. While considering the anticipatory bail application of the petitioner, the learned District Court is required to consider the law laid down by the Apex Court in case of in the case of *Bimla Tiwari vs. State of Bihar & Ors.* passed in *SLP (Crl.) Nos. 834-835 of 2023*.

6. The bail application stands disposed of.

(Purnendu Singh, J)

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