

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47304 of 2017

Arising Out of PS.Case No. -35 Year- 2016 Thana -ISHAKCHAK District- BHAGALPUR

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1. Birju Kumar Sharma, Son of Late Prabhu Sharma, R/o Village- Choti
Balua, P.S.- Balua Bazar, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gopal Prasad Roy, Advocate

For the Informant : Mr. Narendra Kumar Singh, Advocate

For the Opposite Party/s : Smt. Indu Kumari Srivastava, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 10-01-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Ishakchak P.S. Case
No. 35 of 2016 instituted for the offence under Sections
406,408,420,467,468,120(B) of the IPC.

The allegation in the complaint is that petitioner was
one of the Board of Director of Angela Agrotech Limited, and was
an active member and in conspiracy with other accused he
misappropriated Rs. 2 crores and 50 lacs and fled away after
locking the Company and thus cheated the investor as well as the
informant. The case diary has been received, wherein, it is stated
that money has been deposited in different accounts by the
informant and other agents of the customers in the name of Angela
Agrotech Company Ltd.



Learned counsel for the petitioner has submitted that he has no criminal antecedent. He further submits that one of the co-accused namely Sameer Keshri gave an undertaking that he will be solely responsible of all the liability and risk of the aforesaid company.

This Court after looking into the allegation, finds that there is specific allegation against the petitioner of misappropriation of about Rs. 2 crores and 50 lacs in conspiracy with other accused person. Therefore, the anticipatory bail application of the petitioner is rejected.

The petitioner is directed to surrender in the court below within six weeks from today and seek regular bail which will be considered by the court below in accordance with law and disposed off preferably on the same day, without being prejudiced by this order.

(Sanjay Priya, J)

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