

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47176 of 2024**

Arising Out of PS. Case No.-229 Year-2019 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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Bishwajeet Sharma SON OF YAMUNA PRASAD SHARMA @ JAMUN
SHARMA R/O VILLAGE- MURAUWATPUR, PS- DESRI, DIST-
VAISHALI

... .. Petitioner/s

Versus

1. The State of Bihar
2. Gajendra Narayan Sah Son of Shivratan Sah resident of Rampur Viprit, P.O.
and P.S.- Madhawapur, Distt.- Madhubani.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Yadav, Advocate
For the Opposite Party/s : Mr. Rabindra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 07-08-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 467, 468,
471, 406 and 420 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the complainant
alleges that the accused persons including the petitioner opened
SBPL Limited on 31.05.2011 in the house of Md. Mannan and
the complainant was appointed as an agent of the company.
Further, the company floated a scheme that whoever fix deposit
their money, the same would be doubled in five years and six
months, two and half times in seven years and four times in



twelve years, accordingly, the complainant got invested Rs.50 lakhs and other agents also got invested Rs.80 lakhs. Further, when the period of fix deposit matured, the company was locked and the accused fled away. Further, it is alleged that the complainant got knowledge that petitioner is purchasing property in his name.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by showing him as a representative of the company when petitioner like the complainant was also an agent of the company and he also filed Complaint Case No. 319 of 2019 in the Court of learned Chief Judicial Magistrate, Hajipur against the company and its official for cheating the innocent clients. It is further submitted that initially the said pleadings that petitioner is an agent was not pleaded in the anticipatory bail application but a supplementary affidavit was filed bringing the said fact on record. It is next submitted that the company is a public limited company and the officials of the company after collecting money fled away. It is also submitted that petitioner will not abscond rather will cooperate in the trial.

5. Mr. Rabindra Kumar learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.



6. Considering the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with C.R. Case (Complaint Case) No. 229 of 2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, if the learned trial court comes to a conclusion that petitioner, after his release on anticipatory bail, is not cooperating in the trial or is trying to delay the trial of the case in any manner, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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