

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11837 of 2025

Arising Out of PS. Case No.-50 Year-2022 Thana- HAYAGHAT District- Darbhanga

Bittu Kumar singh S/o- Ram Naresh Singh Village- Ghosrama Ps- Hayaghat
Dist- Darbhanga bihar 847301

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Avinash Kumar, Adv. Mr. Sachin Kumar, Adv. Mr. Abhishek Kumar Pandey, Adv. Mr. Kumar Satyam, Adv.
For the Opposite Party/s :		Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 13-05-2025 Heard the parties.

2. The petitioner apprehends his arrest in connection with Hayaghat P.S. Case No. 50 of 2022 for the offence registered under sections 420, 467, 468 of the IPC, 1860 lodged on 25.04.2022 by the informant, Sanjay Kumar Singh.

3. As per the prosecution story, the informant on the instruction of the Superintendent of Police, Economic Offence Unit proceeded to the office of SFNL (henceforth for short, 'Nidhi') and tried to contact the Branch Manager, who was absent. After enquiry with the staff members, it was revealed that it has not obtained license from the Reserve Bank of India (henceforth for Short, 'RBI') nor is registered with the



Securities and Exchange Board of India (henceforth for short, 'SEBI'). Later, on 25.04.2022, continuing the enquiry when the Police Officers visited Ghosrama village and inquired from the locals, it was revealed that the petitioner is engaged in financial transaction without any license. This led to the FIR.

4. Learned counsel for the petitioner submits that he is registered with the Ministry of Corporate Affairs, Government of India since the year 2018 for the financial transaction between the members and as such, no illegality committed, which led to the FIR. He submits that for such transaction, the RBI/SEBI license are not required.

5. Learned APP, Mr. Bharat Bhushan on the other hand opposes the prayer submitting that in the garb of financial transaction between the members, the petitioner extended his rope and ensured that he collects money from the villagers without returning them the amount as assured after one year. He has taken this Court to the paragraph 54 of the case diary which records the statement of Saira Khatoon where she has stated that the petitioner received Rs. 200/- per day and when after one year, the amount matured, Bittu Kumar Singh chose to look the other way. He submits that the FIR is of the year 2022, earlier, the anticipatory bail of the petitioner was dismissed for default



by the learned Sessions Judge, Darbhanga on 06.09.2022 in A.B.P. No. 1073 of 2022. Instead of surrendering and seeking bail, he once again moved before the learned Sessions Judge, Darbhanga in A.B.P. NO. 1562 of 2024 which naturally, got rejected on 04.01.2024.

6. Having gone through the facts of the case and the submissions of the parties including the perusal of the case diary, the FIR/investigation shows that the petitioner moved beyond what was required for him inasmuch as he lured the local innocent people, taking daily investment from them and upon completion of one year, the amount was not returned. Worse, all the documents/passbooks/certificates were kept by him making the innocent citizen losing their hard earned money.

7. Learned APP has rightly pointed out that the matter is of the year 2022 and three years later, the present anticipatory bail application.

8. It would be appropriate that he seek bail, the anticipatory bail application stands rejected.

(Rajiv Roy, J)

Vijay Singh/-

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