

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28235 of 2025

Arising Out of PS. Case No.-853 Year-2019 Thana- COMPLAINT CASE - BARH District-
Patna

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Nishant Sharma @ Nishant Kumar Sharma son of Arun Kumar Sharma
Resident at Villa- 37, Supertech Green, village- Hapur Bypass Road P.S.
-Pratappur District -Meerut Uttar Pradesh

... .. Petitioner

Versus

1. The State of Bihar
 2. Rajesh Kumar S/o- Late Surendra Sharma, Proprietor of Jai Hanuman Enterprises, Badh R/o- Court Area Badh, Ward No-2, PS- Badh, Dist- Patna
- Opposite Party/s
- =====

Appearance :

For the Petitioner/s : Mr.Udai Shankar Singh, Advocate
For the Opposite Party/s : Ms/Mrs. Rina Sinha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 19-08-2025 Heard learned counsel for the petitioner, the State and
the opposite party no.2.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 420/34 of the Indian Penal
Code.

3. As per the prosecution case, all the FIR named
accused persons including this petitioner, by hatching criminal
conspiracy, induced opposite party no.2 to pay Rs.26 lacs for
supplying e-rickshaw and executed a business agreement. Later
on, accused persons fraudulently misrepresented facts and did
not deliver the goods and devoured the money given by opposite
party no.2.

4. Learned counsel appearing for the petitioner



submits that the petitioner is innocent and has falsely been implicated in this case. Complainant (opposite party no.2), on the basis of concocted and false prosecution story, has tried to put pressure upon the company run by accused persons, though the dispute is of civil nature arising out of business transaction. Petitioner claims clean antecedent.

5. Learned counsel for the State and the opposite party no.2 oppose the prayer for bail. Learned counsel for opposite party no.2 submits that the petitioner is named in the FIR with specific allegation that he, in collusion with other accused persons, misappropriated Rs.26 of opposite party no.2.

6. Considering the nature and gravity of allegation, prayer for bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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