

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83895 of 2024

Arising Out of PS. Case No.-280 Year-2016 Thana- LAKHISARAI District- Lakhisarai

Shiv Kumar Sharma, Son of Late Dindyal Sharma R/o -Ichapur Near Jauli
Club, P.S. -Bairakpur, Dist.- North Chaubish Pargana Kolkata, (West Bengal)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Jyoti Kumari- Advocate Mr. Tej Pratap- Advocate
For the State	:	Mr. Nirmala Kumari- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

6 25-07-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 406, 420, 467, 468 and 120(B) of the Indian Penal
Code.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and the
informant alleges that petitioner along with other accused
persons collectively hatched a conspiracy and in the name of
investment in Ramal Industries Limited collected money from
unemployed youth persons assuring that their money would
double in a very short period of time. Further, the accused



persons including the petitioner did not pay the amount to the investors, as such, cheated the investors of their hard earned money, who were mostly unemployed.

4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant by the informant. It is next submitted that informant himself is an agent of the company and the petitioner was posted as Development Officer in the aforesaid company, as such, it cannot be alleged that it was petitioner, who was instrumental in collecting the money from the investors with an intention to cheat.

5. Learned A.P.P. opposes the anticipatory bail application and submits that investigation in the case is continuing and some of the accused have been arrested and have been sent to judicial custody and if the privilege of anticipatory bail is granted to the petitioner, the petitioner may abscond, on which the learned counsel for the petitioner submits that petitioner will not abscond rather will cooperate in the investigation to prove his innocence that he was not involved in the occurrence.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below



within a period of six weeks, is directed to be released on anticipatory bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Lakhisarai in connection with Lakhisarai P. S. Case No.280 of 2016, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. However, it is made clear that in the event, if any application is filed by the Investigating Officer before the learned trial Court bringing to its notice that petitioner, despite giving assurance to this Court, is not cooperating in the investigation or is not presenting himself as and when required, the learned trial Court shall be at liberty to cancel the bail bonds of the petitioner after recording reasons.

9. Let a copy of this order be sent to the concerned Police Station through the learned trial Court.

(Satyavrat Verma, J)

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