IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14477 of 2026

Arising Out of PS. Case No.-1151 Year-2017 Thana- BHAGALPUR COMPLAINT CASE District- Bhagalpur

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Sanjay Kumar Mishra S/O Late Narayan Mishra R/O Village- Murli Chandawa, P.S - Udakishunganj, District - Madhepura.

... ... Petitioner/s

Versus

1. The State of Bihar
2. Arun Singh S/O Late Chander Mandal R/O Muhalla- Nasratkhani Chhajupur, Champanagar, P.S- Nathnagar, Distt.- Bhagalpur.

... ... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr Sanjay Kumar Singh

For the Opposite Party/s : Mr. Md. Ataur Rahman

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

4 15-05-2026 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Complaint Case No. 1151 of 2017, disclosing offences under Sections 406, 420, 34 of the Indian Penal Code.

3. The complaint case, in substance, alleges that the complainant was induced by the accused persons, including the petitioner, to invest substantial amounts in Sharda Pleasure and Adventure Limited on the assurance of attractive returns. It is alleged that, relying on such representations, the complainant invested a total sum of Rs. 11,37,500/- between 2012 and 2014 through the company’s local agent. Subsequently, the company allegedly changed its name to Sharda Mutual Fund Limited,

closed its branch office, and failed to return the deposited amount despite repeated demands, thereby giving rise to allegations of cheating, criminal breach of trust, and common intention against the accused persons.

4. Learned Counsel for the petitioner submits that the company has not been made accused. The complainant invested the aforesaid amount in Sharda Pleasure and Adventure Limited/Company between the year 2012 and 2014 but after a delay of three years, the complaint has been filed. There is nowhere mentioned in the complaint that the money was given to the petitioner. Petitioner is denying that he was the Branch Manager of the aforesaid company.

5. On the other hand, leanred counsel for the informant vehemently opposes the prayer for bail and submits that the petitioner was the Branch Manager of Bhagalpur Branch. Petitioner along with other accused persons committed fraud and cheated the complainant by making representation that higher interest shall be paid if the money is deposited and upon that representation and assurance, the money was deposited by the complainant. Altogether, 11.37 lacs has been deposited by the complainant out of which, only 1.37 lacs has been returned by way of monthly interest and the balance

amount of Rs. 10 lacs has been fraudulently misappropriated by the petitioner and other accused persons.

6. Having regard to the submissions made on behalf of the parties and taking into consideration the nature of allegation and the statement made by the complainant in the SA and other witnesses and the fact that prima facie material is there against the petitioner of duping the complainant of a huge amount in the name of giving higher interest and these kinds of fraudulent activities are rampant in the society these days, I am not inclined to grant the petitioner privilege of anticipatory bail.

7. This application is, accordingly, rejected.

(Anil Kumar Sinha, J)

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