

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8063 of 2021

Arising Out of PS. Case No.-1761 Year-2016 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

PRAMOD KUMAR SAINI Son of Ram Lakhan Prasad Saini Resident of Village/Mohalla-Tripolia Pathri Ghat, Pipaltal, Police Station-Alamganj (Gulzarbagh), District-Patna, at present resident of village-Durgapur Tola Badayi Paswan, Police Station-Khagaria, District-Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Naresh Kumar Das Son of Sri Panchanand Das Resident of Village-Jamalpur, P.S.- Bihpur, District- Bhagalpur.
3. R.B.I., Through In-charge of Patna, R.B.I. Patna.
4. The Directorte of Institutional Finance,Through its Secretary, Govt. of Bihar. Bihar
5. S. E. B.I., Patna. Patna

... .. Opposite Party/s

WITH
CRIMINAL MISCELLANEOUS No. 3536 of 2021

Arising Out of PS. Case No.-1761 Year-2016 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

PARAS NATH SHARMA SON OF MAHADEO SHARMA RESIDENT OF VILLAGE- YADUVANSHNAGAR CHAS, P.S- CHAS AND DISTT- BOKARO, JHARKHAND.

... .. Petitioner/s

Versus

1. The State of Bihar
2. NARESH KUMAR DAS SON OF SRI PANCHANAND DAS RESIDENT OF VILLAGE- JAMALPUR, P.S- BIHPUR, DISTT- BHAGALPUR

... .. Opposite Party/s

WITH
CRIMINAL MISCELLANEOUS No. 33151 of 2021

Arising Out of PS. Case No.-63 Year-2019 Thana- PATNA COMPLAINT CASE District- Patna

INDRANI JAISWAL W/o Dilip Kumar Diwakar Resident of Meena Niketan, Vijay Nagar, P.S.- Town, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar .

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 8063 of 2021)

For the Petitioner/s : Mr.Balram Kapri, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No.1, APP



(In CRIMINAL MISCELLANEOUS No. 3536 of 2021)

For the Petitioner/s : Mr. Madan Mohan, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No.1, APP

For the U.O.I : Mr. Manoj Kumar, CGC

(In CRIMINAL MISCELLANEOUS No. 33151 of 2021)

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ramchandra Singh, Advocate

For the E.O.U. (in all cases) : Mr. V.N.P. Sinha, Advocate

Mr. Vijay Anand, Advocate

For the SEBI (in all cases) : Mr. Pradeep Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

24 14-11-2022 Heard learned counsel for the parties.

Petitioners of Cr. Misc. No.8063 of 2021 and Cr. Misc. No.3536 of 2021 apprehend their arrest in a case registered for the offences punishable under Sections 406, 409, 420, 367, 368, 371 & 120B/34 of the Indian Penal Code, whereas petitioner of Cr. Misc. No.33151 of 2021 apprehends her arrest under Section 409/34 of the Indian Penal Code.

The common allegation against all these petitioners is that they in association of other co-accused lured several subscribers for depositing the amount in a scheme with believe that they would get multiple return but all of them were be fooled.

The petitioners are quite innocent and have been falsely implicated in this case. It is further submitted that in the whole of complaint or in the statement of enquiry witnesses nothing was brought on record in support of the claim. There is no direct or indirect evidence against these petitioners except



suspicion. The allegations levelled against the petitioners is general and omnibus in nature.

Learned counsel for the SEBI submitted that against the order dated 07.04.2022 passed in Cr. Misc. No.8063 of 2021 *suo motu* cognizance has been taken by Hon'ble the Chief Justice and decided to take up it as PIL matter.

Per contra, learned APP for the State vehemently opposing the bail petition submitted that the allegations levelled against the petitioners is serious in nature, hence they do not deserve anticipatory bail.

Considering the facts and circumstances of case, I am not inclined to enlarge the petitioners on bail. The prayer for bail of the petitioners is hereby rejected. However, the petitioners are directed to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order in accordance with law without being prejudiced by this order.

All the interlocutory applications also stands disposed of .

(Anjani Kumar Sharan, J)

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