

IN THE COURT OF SESSIONS JUDGE, GAYAJI

ABP No. 1262/2026

Biswajit Paul Vs. The State of Bihar

Complaint Case No. 179/2016

15.04.2026

Present :

For the petitioner ----: Sri Abhishek Kumar, Ld. Advocate

For the State-----: Sri S. B. Ojha, Ld. P.P.

The present petition for anticipatory bail has been filed on behalf of the petitioner Biswajit Paul apprehending his arrest in connection with Complaint Case No. 179/2016 registered for the offences punishable under sections 420 and 120B of the IPC.

Ld. counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case due to enmity and this petitioner has no connection whatsoever with the alleged offence. He further submits that the delay in lodging the complaint itself causes doubt on the veracity of the allegations. He further submits that some of the co-accused persons have also been granted bail by the Hon'ble High Court.

Ld. P.P. vehemently opposed the prayer for bail submitting that the petitioner is the Director of the ESBI group and had induced the complainant and other agents to invest huge amount of money in the debentures, schemes etc. floated by the company, assuring returns and without prior notice or valid reason, the company decided in its meeting dated 06.04.2015 to close its operations from 15.04.2015 and the branch office was subsequently shut down abruptly.

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Ld. P.P. further contended that the prayer for bail of the co-accused persons has also been rejected vide orders dated 30.11.2016 and 18.11.2017 passed in ABP No. 3199/2016 and ABP 3502/2017.

Ld. P.P. further submits that although some of the co-accused persons have been granted bail by the Hon'ble High Court, but the case of this petitioner stands on a different footing since he was the Director of the company. He further submits that the liability rests upon the Director of the company and in fact, this petitioner carries some criminal antecedents despite the present one which are as under:

1. Shaympukur P.S. Case No. 338/2015
2. Uttarpara P.S. Case No. 63/2017
3. Uttarpara P.S. Case No. 308/2017

therefore, this anticipatory bail should not be entertained.

Upon consideration of the rival submissions and materials available on the record, it appears that the complainant and other investors invested substantial amount in the debentures etc. floated by the company and this petitioner is said to be the Director of the company. Furthermore, this petitioner is also involved in other cases despite the present one as referred to in Para-4 of the bail petition also which are as under:

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- 2) Uttarpara P.S. Case No. 63/2017**
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Considering that although some co-accused person has been granted bail by the Hon'ble High Court, the petitioner, being the Director is primarily responsible, stands on a different footing, this Court finds no ground to take a similar view.

With the aforesaid, this anticipatory bail application stands **rejected**.

(Dictated and corrected)

Sd/-

(Shashi Kant Ojha)

I/C Sessions Judge, Gayaji

15.04.2026

Date of Judgment/Order	15-04-2026
Date of reserving Judgment/Order	N/A
Uploading Date	20-04-2026
Uploaded by	Steno (Vikash Kumar)