

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25711 of 2015

Arising Out of PS.Case No. -1716 Year- 2013 Thana -GAYA COMPLAINT CASE District- GAYA

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Santu Devi @ Santoo Devi, w/o of Anirudh Kumar Bharti, S.P. Road,
Gaya permanent resident of village- Maya Pur, P.S.-Fateh Pur, District-
Gaya

.... Petitioner

Versus

1. The State of Bihar
2. Krishan Kumar Singh, s/o Late Yamuna Singh, resident of village Maha
Pur, P.S.-Atri, District-Gaya

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Vinod Kumar
For the Opposite Party : Mr. P.K.Chaurasiya(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 23-09-2015

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending her arrest in a case
instituted under Sections 420 and 406 of the Indian Penal Code.

The allegation against the petitioner is that the
complainant being an agent of LIC who encouraged the complaint
to purchase the LIC policy on annual premium and the
complainant paid annually premium amount rupees 17431/- in
LIC branch through the petitioner after taking the instalment
thereof from the complainant. The complainant paid the premium
from July, 2010 to July, 2012 through the petitioner but later on
31.07.2013 the complainant went to pay instalment of amount
premium of the year 2013 the Branch Manager of the LIC, Gaya



refused to accept the premium amount telling that there has been heavy due amount of premium since 2010 to 2013 and the policy had lapsed then the complainant surprised to know there about as he had been regularly making over the premium amount to the petitioner but she did not pay within time causing lapsing of the policy, the complainant went to the petitioner and inquired about the matter then he told that she has deposited the premium amount till 2012 but after getting ordinary revival quotation above said dues shown upon which the petitioner got furious and abused and assaulted to the complainant.

It has been submitted on behalf of the petitioner that the petitioner has been made accused in the present case due to mistake of fact. It has further been submitted that the petitioner is ready to deposit the three premium amounts along with the fine amount of the policy and rest of the premium amount is to be deposited by the complainant. The counsel for the complainant has agreed to the said offer.

It has been submitted on behalf of the State that the petitioner is named in the FIR.

Considering the aforesaid facts, let the above named petitioner, in the event of her arrest or surrender in the court below within a period of four weeks, be released on provisional bail for a

period of three months on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Gaya in connection with Complaint Case No.1716 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

In the meantime, both parties can complete their obligations in reviving the Life Insurance Policy in question. The provisional bail of the petitioner shall be confirmed only after the Life Insurance Policy in question is revived within a period of three months.

(Sudhir Singh, J)

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