

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.760 of 2015

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Shahid Alam Son of Naseem Uddin@Md.Naseemuddin Resident of Sadar
Gali,Bagh Kalukha.P.S-Khajakala,District-Patna

.... Petitioner/s

Versus

The Central Bureau of Investigation A.C.B, Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar

For the Opposite Party/s : Mr. Bipin Kumar Sinha (SC, CBI)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

05/ 20-03-2015

Heard learned counsels for the petitioner and

the State.

The petitioner is languishing in custody since 09.10.2014 in a case registered for the offences punishable under Sections 120B, 201, 409, 420, 467, 468, 471, 477A of the Indian Penal Code and 13(2) read with 13(1)(c)(d) of Prevention of Corruption Act, 1988.

It is alleged that Pawan Kumar Rajak the then Assistant, LIC Patna Sahib Branch entered into criminal conspiracy with LIC agent Aftab Alam and others in pursuance thereof fraudulently debited the policy loan amount of the said branch and thereby dishonestly and fraudulently withdrew Rs. 82,00,000/- (Eighty Two lakhs) from the policy loan account of

LIC, Patna Sahib Branch causing wrongful loss of the LIC and wrongful gain to themselves.

It is alleged against the petitioner that LIC agent Aftab Alam, who is the own brother of this petitioner, opened a joint account in Bihar Awami Co-operative Bank, Patna Sahib Branch and in the said account Rs.7,60,000/- fraudulently deposited/transferred from LIC policy loan account and subsequently the said amount was withdrawn.

It is submitted by learned counsel for the petitioner that the alleged amount was deposited and withdrawn by Aftab Alam from the joint account.

Mr. Bipin Kumar Sinha, learned counsel for the CBI after going through the case diary and charge-sheet this fact has not been controverted that alleged amount of Rs.7,60,000/- was deposited and withdrawn by Aftab Alam in the joint account.

Considering the thrust of accusation against Pawan Kumar Rajak, Assistant of LIC and brother of the petitioner namely, Aftab Alam, LIC Agent and statement in para 3 of the petition that the petitioner has no criminal antecedent, let the above named petitioner, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like

amount each to the satisfaction of learned Special Judge, CBI, Patna in connection with Special Case No. 01 of 2013 arising out of R.C. Case No. 9A of 2013.

The learned court below will be at liberty to cancel the bail bonds of the petitioner, if he defaults for two consecutive occasions during trial.

(Dinesh Kumar Singh, J)

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