

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14523 of 2016

Arising Out of PS.Case No. -117 Year- 2015 Thana -DIGHALBANK District- KISANGANJ

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Md. Farooque @ Farooque Alam son of Raisuddin, resident of village-
Mirja Bhatta, Lakshmipur, P.S.- Korhobari in the district of Kishanganj

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Raj Kumar, Advocate

For the Opposite Party/s : Mr. Rajesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

4 11-07-2016

The certified copy of the First Information Report of
Dighal Bank P.S. Case No. 117 of 2015 is being filed on behalf
of the petitioner. Let it be kept on record.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Dighal Bank P.S. Case No. 117 of 2015, disclosing
offences under Sections 405, 406, 415, 417, 418, 420, 463, 464,
465, 468 and 470 of the Indian Penal Code.

The petitioner was an agent, dealing with Reliance
Life Insurance Company. The allegation against him is that on
some false pretext, he collected certain documents from the
insured and representing her to be dead, made the company to

deposit a sum of Rs. 25,000/- in the account of the husband of the insured.

Learned counsel appearing on behalf of the petitioner has submitted that there is nothing on record to show that it was the petitioner, who had informed the Insurance Company that the said injured was dead. He has further submitted that admittedly, the said amount of Rs. 25,000/- was deposited in the account of the husband of the insured, who is the nominee. He has, accordingly, submitted that no offence of cheating or defalcation is made out against the petitioner. He has further submitted that there is no chance that the petitioner shall flee from the course of investigation or trial.

Considering the above submission, this application is allowed. Let the petitioner, abovenamed, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Kishanganj, in connection with Dighalbank P.S. Case No. 117 of 2015, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall

present himself before the police/Court, as the case may be, as
and when required and in the event of failure on his part to
appear before the Court on two consecutive occasions, his bail
bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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