

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15882 of 2017

Arising Out of PS.Case No. -15 Year- 2017 Thana -MARHAURA District- SARAN

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1. Nilam Devi Wife of Late Deo Kumar Bhagat, resident of village -
Talpuraina Mirjapur, P.S. Marhaura, District - Saran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh

For the Opposite Party/s : Smt Renu Kumari

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

3 04-09-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Marhaura P.S. Case No.15/17 registered under Sections 419, 420,
467, 468, 120(B) and 34 of the I.P.C.

The allegation of the informant Ashutosh Kumar Mishra,
Branch Chief Manager, Bajaj Allianz Life Insurance Company is
that one filled up proposal form along with relevant supporting
documents for issuance of Life Insurance Policy of Deo Kumar
Bhakta Son of Arun Kumar Bhakta, resident of Talpuraina, P.O.-
Mirjapur, P.S. Marhowrah, District-Saran was received by this
Company in which Deo Kumar Bhakta had nominated his wife
Neelam Devi who being his nominee shall receive the benefit



under the policy in the event of his death thereafter as per the term of policy the Company issued Life Insurance Policy on the basis of declaration and information by the proposer. On 15.03.2016 Nominee Neelam Devi tendered information that Deo Kumar Bhakta died on 10.08.2015 and sought payment of the insurance amount of the policy to the nominee and also submitted his death certificate which was issued by the Sub- Registrar, Birth & Death Mirjapur, showing the date of his death 31.08.2015. But in course of investigation it was detected that the death certificate was not genuine as Deo Kumar Bhakta indeed died one year back on 25.09.2014 and proposal for issuance of insurance was submitted on 26.09.2014. It is further alleged that the Deputy Mukhiya, Gram Panchayat, Mirjapur and Anganwadi Sevika also asserted that the life assured already died one year back as on the date of submitting proposal form he was not alive.

Learned counsel for the petitioner submits that the petitioner is an illiterate widow and one Aditya Kumar took her thumb impression and her photograph and of her husband on the assurance of she would get widow pension and the petitioner was not aware about the life insurance policy of her husband nor she had ever put her thumb impression on any cheat of paper for withdrawal of amount of policy. The witnesses in paragraphs 15



and 16 of the case diary, who are the Anganwadi Sevika and Deputy Mukhiya have given similar statement before the I.O.. As such, the petitioner has been cheated by the agent of the aforesaid Insurance Company. The petitioner has no criminal antecedent.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of her arrest or surrender before the court below within six weeks from today, be enlarged on bail on her furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the A.C.J.M. II, Saran at Chapra in connection with Marhaura P.S. Case No.15/17, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

AnilKrSinha/-

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