

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36984 of 2017

Arising Out of PS.Case No. -134 Year- 2015 Thana -RAMNAGAR District-
WESTCHAMPARAN(BETTIAH)

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1. Vinay Tiwari @ Vinay Kumar Tiwary, agent of Indian Life Insurance Corporation, son of Anirudh Tiwari, R/o Village- Devraj Bahuari, at present resident of Belagola Harinagar, P.S.- Ram Nagar, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Milind Kumar Mishra, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 28-08-2017

Heard learned counsel for the Petitioner and the State.

The Petitioner apprehends his arrest in Ram Nagar P.S. Case No.134 of 2015 instituted for the offence under Section(s) 420 and 406 Indian Penal Code.

It is alleged against this petitioner that he is the LIC Agent. The informant got LIC policy through him in the year 2009 in the name of his wife. First premium was paid through him and receipts were given to the Informant up to 2010. Thereafter, wife of the informant died in 2015. The petitioner did not deposit premium amount from 2011 to 2015 although premium amount was paid by the Informant to this petitioner.

From the written report itself, it appears that after



2010, at no point of time the informant even enquired about the receipt of payment of the premium. Besides the oral allegation, there is no any other material to show that money for the premium was handed over to this petitioner.

Counsel for the petitioner has submitted that after purchase of policy it is duty of the policy holder to deposit the premium in time and get the receipt of the same.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Ram Nagar P.S. Case No.134 of 2015, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Bagaha, West Chamapran, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if



petitioner tampers with the evidence or the witnesses of the case,
in that case, prosecution will be at liberty to move for cancellation
of bail of the petitioner.

(Sanjay Priya, J)

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