IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51600 of 2017

Arising Out of PS.Case No. -260 Year- 2017 Thana -KISHANGANJ District- KISANGANJ

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Ruhul Amin, Son of Abdul Gaffor, Resident of Lahara Chauk, P.S.- Kishanganj 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. Sri Shyameshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

4 04-12-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in connection with Kishanganj P.S. Case No.260 of 2017 instituted for the offence under Sections 419, 420, 467, 468, 406, 471 and 120-B of the Indian Penal Code.

The prosecution case, in brief, is that one Kanak Kumar Kundu, Territory Manager, Reliance Life Insurance Company Ltd., Kishunganj filed a written report alleging therein that daughter of Saifuddin, namely, Saheba Begam had applied for insurance policy on 14.8.2015 and on that basis, Insurance Policy No.52331619 was given having insured amount of Rs.3,00,000/-. All the papers regarding this insurance was checked by the then Advisor Mithilesh Vishwas. He further stated that when Company inquired it was detected that Saheba Begam had already died in the year 2013 and one Mojib Imam wrote a letter in this regard. Sakir Alam, brother of Saheba Begam disclosed that his sister's documents were taken by Sarfaraz and Nazrul. He further stated that Advisor Nazrul Alam with the help of other Advisor took the aforesaid policy in the name of Saheba Begam. He further stated that Advisor Nazrul Alam confessed that he took the insurance policy of nine dead/ill persons. It is further stated that the aforesaid illegality came to light when insurance company enquired the matter. It is also stated that Nazrul Alam with the help of his group men committed such illegal work and took claim of Rs.15,00,000/- from the Company.

The specific allegation against this petitioner is that with respect to Policy No.52289397 the nominee of the said policy, namely, Najima Bibi told that her husband's policy was taken by Ruhul Amin (petitioner) and all the paper work with regard to claim of her husband's policy was done by the petitioner. The petitioner had got her account opened in the Bank and he had kept the relevant papers with him. It has also been stated that this petitioner had merely given Rs.60,000/- to her out of total claim amount of Rs.3,88,399/- as a death claim of her husband.

Case diary has been received. The matter is still under investigation. There is serious allegation against this petitioner of committing defalcation of the money after issuing fake insurance policy in the name of the dead person in collusion with other accused persons.

Therefore, this Court is not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioner stands rejected.

He may surrender and make prayer for regular bail which shall be disposed of by the court below in accordance with law without being prejudiced by this order.

(Sanjay Priya, J)

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