

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65847 of 2018

Arising Out of PS. Case No.-78 Year-2018 Thana- KOTWALI District- Patna

Mr. Rohit Kumar, S/o Mr. Rameshwar Prasad Chourasia, aged about 30 years,
Presently working as Deputy Cluster Manager, Max Life Insurance having
office at Kaushalya Estate, P.S.- Kotwali, Patna- 800001, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Dayanand Prasad Sinha, S/o Late Harbanshi Lal, M/s Dayanand Prasad Sinha
Contractor's and Engineer's Janta Path, Kankarbagh Road, P.S.- Kankarbagh,
Patna- 20.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dayanand Singh

For the Opposite Party/s : Mr. Sri Ashok Kumar

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 20-12-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in connection
with Kotwali P.S. Case No. 78 of 2018, registered under
Sections 406, 409 and 120(B) of the Indian Penal Code.

Petitioner along with three other accused persons
descending at the shop of the informant induced him to take a
single premium policy of MAX Life Insurance Ltd. to save tax
and to get lucrative profit and on their allurement, informant
took a single premium policy, paying premium 50,000,00/- in
the name of his son. The money was paid through the Firm,
subsequently the accused persons handed over the papers,



depicting it to be multiple premium policy of 10 years and, thus, have cheated the informant.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent. He happens to be Cluster Manager of the Insurance Company. He had never induced the informant to take any policy. As a matter of fact, the informant himself approached the staff of the Insurance Company to take policy and took a multiple premium policy of a sum assured of Rs. Five Crore, paying the first premium of Rs. 50,000,00/- in the name of his son. Proposal form to the said fact bears the signatures and photographs of the informant and his son. So the factum of taking multiple premium policy was well in the knowledge of the informant and, moreover, after receiving the papers, informant had not raised any objection within a period of 15 days regarding aforesaid policy, as per the agreement. More so, on the request of the informant, petitioner has issued him a policy bond of Rs.50,000,00/- as a single premium policy and Rs. 65 Lakh would be payable to the informant after maturity of one year

In the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a



period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Patna in connection with Kotwali P.S. Case No. 78 of 2018 subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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