

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.37914 of 2018

Arising Out of PS. Case No.-34 Year-2017 Thana- CHATOUNI District- East Champaran

Vinod Kumar S/o Ganesh Chourasiya, R/o Vill.- Baraitha, P.S.- Chakiya,
District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 05-07-2018 Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 379,420,467,468,471 and 120B of the IPC.

The prosecution case got initiated with the filing of Complaint Case No. C-2548 of 2016, which was subsequently registered as a police case after complaint being transferred, under Section 156(3) of Cr.P.C. to police. It is alleged by the informant that he has LIC Policy of Rupees One Lac and the accused persons committed theft of the policy bond but it was not in the knowledge of the informant or his wife. The informant went to deposit the premium of the policy, then it



was found that his policy bond has been surrendered on 31.1.2012 and a cheque of Rs.28,121/- has been issued. Subsequently, the informant came to know that the said cheque was deposited in the account of the petitioner.

It is submitted by learned counsel for the petitioner that the a loan was sanctioned in the name of the petitioner and the loan amount was given to the informant and in lieu thereof, the informant mortgaged his LIC policy to the bank but since the default was made in payment of installment, hence the due loan amount was liquidated by the bank after getting the policy amount deposited in the loan account.

Considering the accusation arising out of contractual nature of dispute between the petitioner and the informant and since the LIC has not been made accused nor the complainant has any grievance against the LIC which issued the cheque, coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, East Champaran at Motihari in



connection with Chhatauni P.S. Case No.34 of 2017 subject
to the conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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