

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29512 of 2019

Arising Out of PS. Case No.-608 Year-2017 Thana- BUXAR District- Buxar

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BIRENDRA SHAH @ BIRENDRA SAH, Son of Raghunath Sah Resident of
Village - Ekdar, P.O.- Hathilpur, P.S.- Brahmpur, Distt.- Buxar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Deepak Kumar Sinha, Adv.
For the EOU	:	Mr. Vishwanath Pratap Singh, Sr. Adv.
For the State	:	Mr. J. N. Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

6 16-11-2019 Heard learned counsel for the petitioner, learned Sr.

counsel for the Economic Offences Unit and learned APP for the

State.

The petitioner is languishing in custody since
28.02.2019 in a case registered for the offences punishable
under Sections 406, 419, 420, 467, 468, 469, 471 and 120B of
the Indian Penal Code.

The prosecution case is that the petitioner, being the
LIC agent, either insured dead person or claimed life insurance
of alive persons thereby misappropriated Rs.75,00,000/-.

It is submitted by learned counsel for the petitioner
that the petitioner is not the actual beneficiary and the
beneficiaries have been granted bail. The investigation has



already been concluded and the investigation is being conducted by the Economic Offences Unit and there is no likelihood of the trial being concluded in near future.

Mr. Vishwanath Pratap Singh, learned Senior counsel for the Economic Offences Unit submits that either the petitioner insured the dead person or shown the insured person subsequently dead when they are in fact alive and thereby misappropriated amount to the tune of Rs.75,00,000/-.

Learned APP for the State after going through the case diary submits that the investigation has already been concluded and the chargesheet has been submitted, but due to the petitioner's fraudulent activities, the LIC has suffered a huge loss of Rs.75,00,000/-.

Considering the fact that the investigation has already been concluded, there is nothing on record to suggest that the trial is likely to be concluded in near future, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Buxar, in connection with Buxar (Town) P.S. Case No. 608 of 2017.



However, the learned court below will be at liberty to cancel the bail bonds of the petitioner, if he defaults for two consecutive occasions.

(Dinesh Kumar Singh, J)

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