

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31181 of 2019**

Arising Out of PS. Case No.-71 Year-2019 Thana- SITAMARHI District-
Sitamarhi

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AVINASH KUMAR, male, aged about 38 years, S/o S.K. Singh R/o Ground Floor, Sri Complex, Near Ganesh Petrol Pump, Main Road Dumra, P.S.- Sitamarhi, Posted as Branch Manager, Reliance Nippon Life Insurance Co. Ltd., Sitamarhi, having its registered office at H, Block, 1st Floor, Dhirubhai Ambani Knowledge City, Navi Mumbai- 400710.

... .. Petitioner

Versus

1. The State of Bihar
2. Ram Lakshan Singh S/o Late Aklu Singh R/o Village- Siraula Tola, Hariharpur, P.S.- Reega, District- Sitamarhi, Sitamarhi.

... .. Opposite Parties

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Appearance :

For the Petitioner : Mr. Dayanand Singh, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 14-05-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 403, 406, 420 and 120(B) of the Indian Penal Code registered in connection with Sitamarhi P.S. Case No. 71 of 2019.

3. It is submitted that the petitioner has been falsely implicated on the accusation that the cheque for Rs. 20,000/- issued by the Company in the name of the informant on maturity of the policy after four years was encashed by someone else. It is submitted that the petitioner is the Branch Manager of Reliance Nippon Life Insurance Company Limited at Sitamarhi Branch whereas admittedly the cheque in question had been despatched by the head office at Navi Mumbai. As such the petitioner had no



role to play in the encashment of the cheque in question. The petitioner claims clean antecedents.

4. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Sitamarhi P.S. Case No. 71 of 2019, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions -

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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