

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41711 of 2019
Arising Out of PS. Case No.-1488 Year-2017 Thana- SASARAM NAGAR
District- Rohtas

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RAJESH KUMAR, aged about 49 years, male, Son of Sri Lal Mohar Prasad
Resident of Ranjan Path, Gola Road (Bailey Road), P.S.-Rupaspur, District-
Patna. At present Branch Manager, LIC of India Branch Siwan, P.S and
District-Siwan

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Raj Dular Sah, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 08-07-2019

Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 420, 406, 465, 467, 468, 471, 472, 506,
509 & 120(B) of the Indian Penal Code registered in connection
with Sasaram (T) P.S. Case No. 1488 of 2017.

3. It is submitted that the petitioner has been falsely
implicated merely because he happens to be the Branch Manager
of the Sasaram Branch of LIC where seven policies had been
fraudulently surrendered and encashed through fake bank
account by LIC agent Sri Bhagwan Singh. It is submitted that the
subject encashments have been made between the period 2004
and 2014 whereas the petitioner was posted at the said LIC
Branch thereafter on 21.05.2015 and remained there upto
18.06.2018, which period fell after the sanction of loan or
surrender of policies. It is therefore submitted that the petitioner
had no role to play in the entire occurrence. It is submitted that
the said co-accused Sri Bhagwan Singh has by letter dated
07.03.2017 (Annexure-5) accepted his guilt with respect to the



defalcation and has undertaken to collect and deposit the renewal premium of policies and set off the defalcated money against commission. It is further stated that the agency of co-accused Sri Bhagwan Singh has since been terminated. 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, Rohtas, Sasaram in connection with Sasaram Nagar P.S. Case No. 1488 of 2017, 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.

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(Vikash Jain, J)

