

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68663 of 2018

Arising Out of PS. Case No.-671 Year-2015 Thana- HAJIPUR District- Vaishali

Navin Kumar, son of Manoj Kumar, resident of Village- Saidpur Bijli, Police Station- Bhagwanpur in the District of Vaishali.

... .. Petitioner

Versus

1. The State of Bihar.
2. The I.C.I.C.I. Bank, Hajipur through its Area Manager Ramesh Jha.

... .. Opposite Parties

Appearance :

For the Petitioner : Mr.Sunil Kumar, Advocate.
For the State : Mr. Ashok Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

3 22-01-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 467, 468, 471, 472, 420 and 120(B)/34 of the IPC.

The prosecution story, in brief, is that the informant, namely, Ramesh Jha, Area Manager, I.C.I.C.I. Prudential Life Insurance Company, has submitted a written application before the Officer-in-Charge, Hajipur Town Police Station, alleging therein that the Adviser of his Company Navin Kumar (petitioner) made a Life Insurance Policy of Ravindra Prasad Singh of Rs. 2,00,000/- on 14.06.2013 and Dharamsheela Devi was made nominee of the said policy and the original documents of the said policy was issued to insured person on 23.06.2013. It is further alleged that on 11.03.2014,



Dharamsheela Devi informed to the office of I.C.I.C.I. Prudential Life Insurance, Hajipur, about death of her husband Ravindra Prasad Singh due to heart attack on 06.08.2013 and also claimed the policy amount and in support of her claim, she filed death certificate of her husband including the medical report issued by Dr. Vivekanand Singh, Manish Memorial Seva Poly Clinic, Samastipur. Thereafter, the Company conducted internal enquiry about the genuineness of the said claim and after enquiry, the Company found that the insured person died on 16.03.2013 earlier than said policy was taken. Thereafter the Company has found that the entire process of taking the said policy was fake with inclusion of his staff Navin Kumar (petitioner) and their associates and it is further alleged that the *Panchayat Secretary* has also issued fake death certificate of Ravindra Prasad Singh dated 06.08.2013 and the said certificate was cancelled after considering the original date of death 16.03.2013.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The signature on the proposal by the



petitioner is denied. It is further submitted that the petitioner is ready to deposit an amount of Rs. 25,000/- (Rupees Twenty Five Thousand Only) in the learned court below which shall be subject to final disposal of the case.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R./ complaint case.

Considering the aforesaid facts and circumstances, the petitioner is directed to deposit an amount of Rs. 25,000/- (Rupees Twenty Five Thousand Only) in the learned court below which shall be subject to final disposal of the case. On doing so, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Vaishali at Hajipur, in connection with Hajipur Town P.S. Case No. 671 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

(Sudhir Singh, J)

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