

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2491 of 2022

Arising Out of PS. Case No.-143 Year-2021 Thana- LAHERIMUHALLA District- Nalanda

ANIL KUMAR Son of Late Rupan Mahto Resident of Village - Kul, P.S. and
Distt.- Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh

For the Opposite Party/s : Mr.Narendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

5 20-09-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Laheri
P.S. Case No. 143/2021 registered for the offences punishable
under Sections 419, 420, 467, 468/34, 120B of the Indian Penal
Code.

As per prosecution case, accusation against the
petitioner is that he withdrew Rs.4,38,850/- as death claim of his
first wife namely, Reena Devi vide Policy No.559833901. It is
further alleged that after enquiry the officials found that
petitioner's first wife namely, Reena Devi is alive and petitioner
after submitting forged document withdrew the aforesaid
amount.

Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this



case. The petitioner is languishing in custody since 17.11.2021 and bears no criminal antecedent. He further submits that allegation against the petitioner is that he withdrew Rs. 4,38,850/- as death claim of his first wife namely Reena Devi who is alive. Learned counsel for the petitioner through second supplementary affidavit further submits that, the petitioner will deposit the alleged amount as mentioned in the F.I.R. within two installments as 50% of aforesaid amount i.e. Rs.2,19,425/- will be deposited prior to furnishing bail bond and other 50% amount will be deposited after six months of furnishing bail bond and the above mentioned amount will be deposited in L.I.C. Branch, Biharsharif.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody as well as positive attitude of the petitioner and keeping in view clean antecedent of petitioner and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Biharsharif in connection



with Laheri P.S. Case No. 143/2021, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(iv) The petitioner shall abide by the affidavit filed by him with regard to make payment of Rs. 4,38,850/- in two installments.

(v) However, if petitioner violates any of the conditions as enumerated above, the court below is at liberty to cancel the bail bond of the petitioner.

(Alok Kumar Pandey, J)

amitkumar/-

U		T	
---	--	---	--

