

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54483 of 2021

Arising Out of PS. Case No.-32 Year-2016 Thana- DARBHANGA District- Darbhanga

BINOD KUMAR SAHU SON OF LATE LAKHAN SAH @ LATE
LAKHAN SAHU R/O VILLAGE- BHAPTIYAH, P.S.- LAUKAHI,
DISTRICT- MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad

For the Opposite Party/s : Mr.Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-05-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Darbhanga Town Police Station Case No. 32 of 2016, registered
for the offences punishable under Sections 467/468/420/34 of
the Indian Penal Code.

The prosecution case, as per the First Information
Report, is that the agent of the ICICI Prudential Life Insurance
Company, Darbhanga, issued Policy No. 16675570, dated
23.05.2012 and Policy No. 17005955, dated 14.09.2012, for a
sum of Rs. 3,45,000/-, in the name of Lakhan Sah, i.e. father of
the petitioner, in which the petitioner was the nominee. It has
been alleged that the petitioner filed claim for payment of the



death -cum- maturity amount against the policies on 29.06.2014, claiming that the father of the petitioner has died on 04.03.2013 and in support of the same, he submitted the death certificate of his father, dated 23.03.2013, which was found to be forged inasmuch as upon enquiry, it came to light that the father of the petitioner died prior to the issuance of the policies in the year 2012 itself.

Learned Counsel for the petitioner submits that the petitioner, being the nominee, was not aware about the fact that the two policies were issued by the agent of the Insurance Company in favour of the dead father and he has falsely been implicated in this case at the behest of the agent of the Insurance Company, who has not been made accused in this case. He also submits that the maturity amount has not been given by the Insurance Company to the petitioner and the petitioner did not receive any amount against the said two policies. He further submits that the petitioner is in custody since 04.07.2021, having no criminal antecedent, and charge sheet has already been submitted against him and as such there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions made on behalf of the parties and taking into consideration the materials



on record and the fact that the allegation is based upon the documents, charge sheet has already been submitted and the petitioner is in custody since 04.07.2021, having no criminal antecedent, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail, upon furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga, in connection with Darbhanga Town Police Station Case No. 32 of 2016.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	✓	T	✓
---	---	---	---

