

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4436 of 2023

Arising Out of PS. Case No.-462 Year-2015 Thana- BIHAR District- Nalanda

Sharwan Singh @ Shravan Singh S/o Chandeshwar Singh R/o Village-
Jagatpur, P.O.- Telmar, P.S.- Harnaut, Distt- Nalanda, Bihar- 803204.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jai Prakash Chaudhary, Advocate

For the Opposite Party/s : Mr. Rajendra Nath Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 19-06-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
26.09.2022 in connection with Bihar Sharif/Bihar P.S. Case No.
462 of 2015, F.I.R. dated 03.10.2015 for the offences punishable
under Sections 417, 418, 420, 467, 468, 471, 474 and 120(B) of
the Indian Penal Code.

According to prosecution case, in brief is that the
informant Sundar Singh, Triumph Legal and Authorized
Representative of Reliance Life Insurance Co. Ltd. gave a
written petition to the Superintendent of Police, stating therein
that two policies bearing No.17106782 and 15875533 were
purchased by Mrs. Anju Devi W/o Shrawan Kumar on
20.05.2012 and 11.09.2009 respectively from CSC Office,



Nalanda, Bihar under Reliance Super Invest Assured and TRI, were valid for a period of 15 years. It is further alleged that on 28.05.2015 accused Anju Devi filed a request for disbursement of claim stating therein that her husband Mr. Shrawan Kumar died on 20.12.2010 due to chest pain/heard attack. The claim form contained a death certificate of Shrawan Kumar and the form was witnessed by Dr. S.K. Prasad, Biharsharif and declaration was signed by Mr. Rajkumar Singh. During investigation, the death certificate was found forged and the assured Shrawan Kumar is still alive and the complainant company made the video evidence of the assured Shrawan Kumar. Therefore, all the accused persons are playing fraud on the complainant company by misrepresenting the fact of death of assured and asking for and obtaining the death claim. The accused persons are working together and illegally conniving to hatch this conspiracy and plan.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation against the petitioner as alleged in the F.I.R. is false and fabricated and petitioner has not committed any offence as alleged in the F.I.R and he has no role at all in the present



occurrence and in fact the co-accused namely, Arun Prasad and Santosh Chaudhary who are agent of the insurance company and the co-accused, Arun Kumar has obtained thumb impression of the wife of the petitioner and open a bank account in the name of the wife of the petitioner but it has come during investigation that the photo which was furnished with the bank account of the wife of the petitioner namely Anju Devi was found to be wife of the insurance agent Arun Kumar and the petitioner has no role in the present occurrence and he is not the beneficiary of the amount in question. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in judicial custody since 26.09.2022.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Bihar Sharif/Bihar P.S. Case No. 462 of 2015, subject to the following conditions:-



1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. 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.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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