

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4867 of 2023

Arising Out of PS. Case No.-230 Year-2022 Thana- BAGHA District- West Champaran

VIKKY KUMAR @ VICKY KR S/O ASHOK PRASAD SONI R/v- Kumhar
Patti, P.S.- Ramnagar, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Gupta
For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-05-2023 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with Bagaha Police Station Case No. 230 of 2022, dated 05.04.2022, registered for the offences punishable under Sections 406/420/34 of the Indian Penal Code.

The prosecution case, as per the First Information Report, is that the petitioner, who was the employee of Bharat Financial Inclusion Limited, had collected a sum of Rs. 3,53,618, from the borrower of the Company, but did not deposit the same in the account of the Company and thus has embezzled a sum of Rs. 3,53,618, of the Company.

Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged



and he has falsely been implicated in this case. He further submits that without prejudice to the right and contention of the petitioner, he is ready to pay a sum of Rs. 3,53,618/-, in six monthly instalments, subject to the final outcome of the present case.

Accordingly, the petitioner is directed to deposit a sum of Rs. 3,53,618/- in six instalments before the learned Court below.

After having heard learned Counsel for the parties and taking into consideration the materials on record and the undertaking given by learned Counsel for the petitioner, I am inclined to grant provisional bail to the petitioner.

Let the petitioner, above named, in the event of his arrest/surrender before the learned Court below within a period of four weeks from today, be released on provisional bail, upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Chief Judicial Magistrate, Bagaha, West Champaran, in connection with Bagaha Police Station Case No. 230 of 2022.

This is subject to the condition that the petitioner shall deposit a sum of Rs. 63,618/- in the Court below at the time of furnishing his bail bond and five equal monthly instalments of



Rs. 58,000/- each by 10th day of every month, starting from July, 2023.

It is made clear that the learned Court below will confirm the provisional bail to the petitioner if all the instalments, as stated above, are deposited.

It is further made clear that if the petitioner fails to pay any of the instalments within the time granted by this Court, his provisional bail bond shall be cancelled by the learned Court below itself.

This application is disposed with the aforesaid observation and direction.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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