

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.44671 of 2023**

Arising Out of PS. Case No.-783 Year-2022 Thana- AGAMKUAN District- Patna

BINAY KUMAR SINHA @ BINAY KUMAR Son of Rajendra Prasad  
Awasthi @ Rajendra Prasad Resident of village - Saidpur, Devisthan, Khagol,  
P.S. - Khagol, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Raj Kishor Prasad  
For the Opposite Party/s : Mr.Uday Chand Prasad

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

5      11-10-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner has prayed for grant of regular bail  
for the offence punishable u/s 406 and 420 of the Indian Penal  
Code.

3. As per allegation in the FIR, petitioner was  
working in the companu M/S Kaishet Pharmaceuticals Pvt. Let  
as an accountant officer, warehouse since 2010. it is alleged that  
in course of audit, it was found that petitioner has made wrong  
entries with dishonest intention and given false credit to the  
parties aggregating to Rs. 31,24,629/- and then the present FIR.

4. It is submitted by learned counsel for the petitioner  
that petitioner has been falsely implicated in this case. He is



innocent and languishing in judicial custody since 15.3.2023.

5. By way of filing supplementary affidavit, it has been brought on record that both parties have agreed to dissolve the dispute and compromise took place subject to condition of payment of Rs. 10,000,00/- (ten lac) to the informant.

6. It is submitted by learned counsel for the petitioner that petitioner is ready to return an amount of Rs. ten lac (Rs. 10,00,000/-) to the informant.

7. Today, learned counsel for the petitioner has handed over one demand draft of Rs. Five Lac i.e. D.D. No. 128706 issued by Canara Bank to the learned counsel for the informant in the Court.

8. Petitioner is directed that he will deposit rest of the amount i.e. Rs. 5,00,000/- (five lakh) to the informant in five equal monthly installments and each installment will be of Rs. One lakh.

9. Learned counsel for the informant has no objection.

10. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on **provisional bail**. The above named petitioner is directed to be enlarged on provisional



bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned ACJM-IV, Patna City, Patna in connection with Agamkuan PS Case No. 783 of 2022.

11. This application stands disposed off with a direction to the trial court to confirm the provisional bail granted to the petitioner only after ensuring that the petitioner has deposited the entire amount in five equal monthly installments by way of demand draft as agreed by him before this Court.

12. The aforesaid payment will be the subject to final settlement in this matter.

**(Sunil Kumar Panwar, J)**

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