

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44534 of 2018

Arising Out of PS.Case No. -337 Year- 2018 Thana -KAHALGAON District- BHAGALPUR

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1. GAUTAM MANDAL @ MUNSI GAUTAM MANDAL @ GAUTAM KUMAR son of Late Ghanshyam Mandal resident of village - Amapur, Police Station - Ghogha (Kahalgaon), District - Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate

For the State : Mr. Madan Rai, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 01-08-2018

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

The petitioner has been in custody since 29.05.2018 in connection with Kahalgaon P.S. Case No. 337/2018 registered for the offences punishable under Sections 327/409/420 of the Indian Penal Code, Section 40 B.M.M.C. Rule 1972 and Sections 6/8 B.M.R.C. Rule.

Learned counsel for the petitioner submits that authorities conducting a raid on the premises of his employer, namely, one Ajay Mandal who has a licence of Concrete Depot and from the said Depot certain items were recovered including a lot of cash. The said Depot was being managed by Lalu Mandal and the



petitioner was merely a Munshi who was employed to keep some register. The seizures from the petitioner are kept at page No. 22 of the bail application and contain nothing but entries regarding Challan number issued to certain trucks carriers and the amount which was received from the trucks. Learned counsel for the petitioner further submits that save and except the registers which were in possession and in which he had made entries as a Munshi, there is no allegation against the petitioner so as to attract the stringent provisions of the penal code as he has not committed any such offence nor has it been alleged the same. The petitioner was merely a Munshi at the Depot and this would not mean that the petitioner was a party to any offence which may have been committed by the Manager or owner by the concrete Depot.

Having heard learned counsel for the petitioner and after considering entire facts and circumstances and the role of the petitioner at the godown and also because the petitioner has no criminal antecedent, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur, in connection with Kahalgaon



P.S. Case No. 337/2018.

(Anjana Mishra, J)

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