

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65924 of 2019

Arising Out of PS. Case No.-241 Year-2019 Thana- KAHALGAON District- Bhagalpur

1. Himesh Kumar Raj @ Nepali Mandal @ Himansu Mandal @ Himanshu, aged about 25 years, Male, Son of Deepnarayan Mandal
2. Pawan Mandal, aged about 23years, Male, Son of Sunil Mandal, both resident of Village - Athgama, P.S.- Ghogha, Dist.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Gangesh Gunjan, Advocate
For the Opposite Party/s : Mr.Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 04-03-2020 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Kahalgaon (Ghogha) P.S. Case No. 241 of 2019 registered for the offences punishable under Sections 384, 386, 353, 427/34 of the Indian Penal Code.

The prosecution case in brief started on the basis of written report of Sadanand Singh, given before S.H.O. of Ghogha O.P. at Kahalgaon Police Station on 08.04.2019 at about 23.30 hours alleging inter alia that on same day at about 2.30 hours informant proceeded from Kahalgaon from his residence by Tata Safari vehicle bearing Registration No.JH-



05BQ/5991 for Sahnaula along with two bodyguards and at about 12.05 O'clock when reached near village Athgama (Ghogha P.S.) then saw hundreds of trucks were parked in queue on the road and some of the youth of the village Athgama were illegally collecting money from the truck drivers. On the left side of the road a motorcycle garage has illegally constructed and motorcycles are standing in front of said motorcycle garage and on the right side of the road there is a temple of Chaity Durga Maa and for worship of that temple, illegally collection was being made.

Learned counsel for the petitioners submits that the petitioners are innocent, committed no offence and have falsely been implicated in this case due to some previous grudge. He further submits that the petitioners are active members of Chaity Durga Puja Samiti and as such their names have been falsely given by the informant. He further submits that there is no specific allegation against the petitioners. The specific allegation is against Bibhisan Mandal and there is general and omnibus allegation against the petitioners. He further submits that the petitioners have got no any criminal antecedent.

In the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of



arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Bhagalpur in connection with Kahalgaon (Ghogha) P.S. Case No. 241 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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