

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.20018 of 2023**

Arising Out of PS. Case No.-51 Year-2022 Thana- BHAGALPUR KOTWALI District-  
Bhagalpur

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KANHAY MANDAL @ KANHAIYA MANDAL S/O- RAGHU MANDAL  
Village- Gourachouki Mohalla, P.S.- Kotwali (Jogsar), Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ashish Anand, Advocate

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

2      16-05-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Kotwali (Jogsar) P.S. Case no. 51 of 2022 registered under section 406 of the Indian Penal Code.

3. As per the prosecution case, the informant gave a sum of Rs. 1 lac in cash to the petitioner who is a staff of his shop to deposit the same in Bank. However, neither the amount was deposited in the Bank nor was it returned to the informant.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case on account of his asking for remuneration in the capacity of his being the employee in the shop of the informant. No such occurrence as



alleged in the FIR has taken place. The petitioner is in custody since 10.1.2023 and has no criminal antecedent.

5. Heard learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation in the FIR, the petitioner having remained in custody for 4 months since 10.1.2023, chargesheet having been submitted in the case and petitioner not having any criminal antecedent, the petitioner is directed to be enlarged on bail in connection with Kotwali (Jogsar) P.S. Case no. 51 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur.

**(Partha Sarthy, J)**

Spd/-

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