

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39621 of 2017

Arising Out of PS.Case No. -143 Year- 2017 Thana -BIRPUR District- SUPAUL

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Surendra Kumar Jaishwal, Son of Sri Lakhan Narayan Choudhary, R/o
Mohalla- Nagar Parishad, Ward No. 23, P.S.+District- Supaul.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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with

Criminal Miscellaneous No.47125 of 2017

Arising Out of PS.Case No. -143 Year- 2017 Thana -BIRPUR District- SUPAUL

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Manish Kumar, Son of Shri Ashok Mandal @ Ashok Mehta, Resident of-
Amarpur, P.S.- Gardanibagh, (Medni Chowk), District- Lakhisarai
(811186).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

(In Cr.Misc. No.39621 of 2017)

For the Petitioner/s : Mr. Amrit Abhijat

For the Opposite Party/s : Mr. Kumar Virendra Narayan

(In Cr.Misc. No.47125 of 2017)

For the Petitioner/s : Mr. Aaruni Singh

For the Opposite Party/s : Mr. Dashrath Mehta

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

4 12-12-2017 Both the aforesaid applications arise out of Birpur

P.S. Case No. 143 of 2017, registered under Sections 409 and 420

of Indian Penal Code. Therefore, both the aforesaid applications

have been heard together and are being disposed of by this

common order.

The accusation is that in course of enquiry, it was



detected that 'Basket Ball Court' constructed by the Surendra Kumar Jaishwal (petitioner of Criminal Miscellaneous No. 39621 of 2017) at the Kosi Government High School, Birpur in the supervision of Manish Kumar (petitioner of Criminal Miscellaneous No. 47125 of 2017) the floor of Basket Ball Court was found damaged and work was also not found up to the mark.

Learned counsel for the petitioners submits that after enquiry, the petitioner Surendra Kumar Jaishwal reconstructed the Basket Ball Court according to specification and Basket Ball Court was handed over to the school regarding which Executive Engineer submitted report on 19.08.2017, which would appear from Annexure-04 to the supplementary affidavit.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the A.C.J.M. Birpur, Supaul in connection with Birpur P.S. Case No. 143 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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