

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75165 of 2019**

Arising Out of PS. Case No.-151 Year-2019 Thana- KUCHAIKOTE District- Gopalganj

Manish Ranjan, Son of Late Bhola Prasad Raj, Proprietor of Raj Tanay
Construction Private Limited, Gopalganj, P.S and District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Srivastava, Advocate

For the Opposite Party/s : Mr.Ashraf Ansari, APP

**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER**

3 09-12-2019 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection with Kuchaikote P.S. Case No.151 of 2019 registered for the offence punishable under Sections 420, 406, 409/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the present petitioner was a Contractor for construction of Panchayat Bhawan at Gram Kuchaikote at Rampur Khareya and also at Kuchaikote. It is submitted that he had constructed the building in the year 2013, but after some mischievous elements complained about the quality of construction, an enquiry was conducted in the year 2019 and as a consequence thereof, the present F.I.R. has been filed. It is further submitted that the



petitioner had received payments only after the quality of construction had been certified by the Junior Engineer and Assistant Engineer at that point of time, but after a lapse of six years, the authorities having raised such grievance is not entirely fair and tenable. He further submits that whatever discrepancies were found, it has been rectified and repairs have been conducted at the cost of the petitioner and therefore, he may be extended the privilege of bail. It is further submitted that co-accused Laleshwar Sao, Junior Engineer (Accused No.1 in the F.I.R.) has been granted bail by this Court in Cr.Misc. No.62865 of 2019 vide order dated 22.10.2019 and co-accused No.2 Nand Lal Singh has also been extended the privilege of bail in Cr.Misc. No.54260 of 2019 vide order dated 27.11.2019.

Having considered the entire facts and circumstances of the case and that the petitioner has two other criminal antecedents in which he has already been extended the privilege of bail, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-



VII, Gopalganj, in connection with Kuchaikote P.S. Case No.151 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure. And also subject to the following conditions:

(1) One of the bailors will be his own relative, namely, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjana Mishra, J)

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