

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17654 of 2008

=====

Yugeshwar Prasad Singh S/o Late Suban Singh, r/o village + PO- Sardiha, PS
Simri Bakhtiyarpur, District Saharsa presently residing at Gautam Nagar, Gangjala,
Ward No.17, West of Dr. C.M.Choudhary, PS Sadar, District Saharsa

.... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Home (Special) Department, Government of Bihar,
Old Secretariat, Patna
3. The Deputy Secretary, Home (Special) Department, Government of Bihar, Old
Secretariat, Patna
4. The Inspector General of Prisons, Bihar, Patna

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Ashutosh Singh II

For the Respondent/s : Mr. (SC10)

=====

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 07-05-2015

The facts speak for themselves. If that be so then the minimum of punishment which could be imposed upon the petitioner for serious omission of releasing a prisoner, who was an accused in 302 IPC despite pendency of a production warrant, cannot be accepted to be a casual affair. The story or explanation offered by Randhir Kumar Sinha may not be adequate to exonerate the petitioner because petitioner was the superior authority. It was his duty to keep track of what is happening in the prison in question. He cannot shift the blame upon a subordinate to escape the punishment which any way was withholding of three increments without

cumulative effect. No interference is warranted with the order of punishment.

Writ is dismissed.

(Ajay Kumar Tripathi, J)

sk

U			
---	--	--	--