

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28007 of 2016

Arising Out of PS.Case No. -346 Year- 2012 Thana –PHULWARI SHARIF District- PATNA

=====

Jaleshwar Shukla son of Late Vishwanath Sukala, resident of Village-
Fathepur, P.S. Didarganj, District- Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Mithilesh Kumar Arya, Adv.

For the Opposite Party/s : Mr. Iftekhar Mahmood, APP

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 26-09-2016 Heard both sides.

The order dated 24.03.2014 passed by learned Sessions
Judge, Patna in A.B.P. no. 3104/2013 with A.B.P. no. 3105/2013
is filed.

The petitioner apprehends his arrest in Pulwari Sharif
P.S. Case No. 346/2012, registered for the offences punishable
under Sections 409 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
present Panchayat Secretary of Gram Panchayat, Sakraicha
informed the State Information Commission that previous
Panchayat Secretary did not hand over the registers and records to
him at the time of handing over the charge and therefore
information sought by one Ajayanand Pandey under Right to
Information Act was not made available to him. The State
Information Commission after having received such information

from the present Panchayat Secretary directed the Block Development Officer to lodge the case against the previous Panchayat Secretary.

Learned counsel for the petitioner submits that the petitioner Jaleshwar Shukla took charge from Dineshwar Pandey on 15.07.2006 and he handed over the charge on 15.09.2012 along with the list of documents to his successor Panchayat Secretary namely, Surendra Prasad Singh. The petitioner was not given any notice about the non-handing over of the charge to his successor, although, petitioner handed over charge to his successor with the records and registers.

Considering the facts aforesaid and the nature of allegation made against the petitioner, 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, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate Ist Class, Patna in connection with Pulwari Sharif P.S. Case No. 346/2012, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

Vinita/-

U		T	
---	--	---	--