

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12839 of 2017

Arising Out of PS.Case No. -294 Year- 2016 Thana -MAKHDUMPUR District- JEHANABAD

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Vivek Kumar @ Vivek Prasad son of late Gurudayal Prasad resident of village - Hasanpur, P.S.Ghosi, Dist - Jehanabad, the then Panchayat Secretary, Makarpur Presently working as Panchayat Secretary at Kako Block Jehanabad.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shankar Kumar

For the Opposite Party/s : Mr. Navin Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

4 04-07-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Makhdumpur P.S. Case no. 294 of 2016 registered under Sections 406 and 420 of the Indian Penal Code.

The accusation is that one Nagendra Kumar sought information under R.T.I Act in connection with employment of Mokarpur Panchayat teacher. Thereafter, a letter was sent to the petitioner by informant then Panchayat Secretary of the said Panchayat supplied wrong information that the paper regarding the employment of Makarpur Panchayat teacher was not handed over to him by the earlier Panchayat Secretary. On enquiry, it was found that the appointment of Panchyat Teacher was made in the tenure of the



petitioner.

Learned counsel for the petitioner submits that, in fact, the relevant paper was sent to by then Mukhiya to Block Education Officer for verification and same was returned later on, when petitioner came to know about the fact then he approached to the then Mukhiya, who handed over the paper to the petitioner, thereafter, he submitted the same on 14.12.2016 to B.D.O. It would appear from Annexure-6 to Supplementary affidavit that Block Development Officer, Makhdumpur supplied the information to Nagendra Kumar, who sought information of the relevant papers sending the copy of letter vide Memo No. 717, dated 31.05.2017 to State Information Commissioner, Patna.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his 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) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Mehanabad in connection with Makhdumpur P.S. Case No. 294 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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