

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21276 of 2019**

Arising Out of PS. Case No.-237 Year-2015 Thana- BUXAR MUFFSIL District- Buxar

CHANDRAKESHWAR RAM S/o Late Sidhi Ram R/o Village- Matakipur,
P.S.- Dhansoi, District- Buxar

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bachan Jee Ojha

For the Opposite Party/s : Mr.Indra Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

2 05-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
13.02.2019 in a case registered for the offence punishable under
Section 409 of the Indian Penal Code.

The prosecution case, as per written report of Block
Development Officer, Buxar-cum-First Appellate Authority,
Buxar submitted to the Station House Officer, Buxar Police
Station, is to the effect that the petitioner being a Panchayat
Secretary did not hand over the complete charge to his
successor, namely, Narayan Datt Prasad, as a result, the
informant being the appellate authority, could not submit the
required information under the Right to Information Act
required in Information Case No. 69902 of 2012-13.



It is submitted by the learned counsel for the petitioner that petitioner was Panchayat Secretary and was posted at Nadaon Panchayat prior to the year 2012 but no proceeding was initiated against him for not handing over the charge and the informant in order to save his own skin, under Right to Information Act, lodged the FIR in pursuance to the order passed by the State Information Commissioner.

Learned APP submits that petitioner has not handed over his charge to his successor.

Considering the fact that accusation of not handing over the charge of Panchayat Secretary relates to the year 2012 and FIR has been lodged in the year 2015 when the present Panchayat Secretary failed to supply the information under Right to Information Act, let the above named petitioner, 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 learned Chief Judicial Magistrate, Buxar in connection with Buxar (M) P.S. Case No. 237 of 2015.

(Dinesh Kumar Singh, J)

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