

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21720 of 2016

Arising Out of PS.Case No. -13 Year- 2015 Thana -SC/ST PS District- SUPAUL

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1. Deepak Kumar Sah son of Rameshwar Sah@Rameshwar Prasad Sah
2. Jagdish Prasad Yadav@Jagdish Prasad Son of Chhedi Prasad Yadav
3. Binod Kumar Yadav@Binod Kumar Son of Bijendra Yadav all Resident
of Village- Parsagarhi, PS Jadiya, District Supaul.

.... Petitioner/s

Versus

1. The State of Bihar
2. Sulekha Devi@sulekha Kumari wife of Bijendra Ram Resident of
Village- Parsagarhi, PS Jadiya, District Supaul.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madhav Jha

For the Opposite Party/s : Mr. Ram Shankar Das (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL

ORAL ORDER

2 19-05-2016 Heard the counsel for the petitioners and Mr. Dayal, APP
for the State.

The complaint lodged by the complainant was later treated as an FIR registered under sections 385,504,506 and 120B/34 IPC including section 3(i) (xi) of the ST/ST Act (for short 'the Act') and hence the anticipatory bail.

On going through the FIR, it is alleged while the informant was constructing a school building from the funds received, the petitioners, who were also teachers of the school, demanded Rangdari amount from the informant and abused the informant as well as her husband taking the name of their caste

leaving them high and dry.

The contention of the petitioner is that that there is a dispute with regard to in-chargeship of the post of the Headmaster of the school. The allegations are concocted with a view to pressurize the petitioners. Prima facie, no case under the Act could be made out.

Mr. Dayal, the APP opposed the prayer and placed the allegation as also section 18 of the Act which disables/bars the Court from granting the privilege of anticipatory bail.

Considering the facts and circumstances of the case, I am not persuaded to extend the privilege of anticipatory bail to the petitioners. They may surrender and seek regular bail. If they do so, the same shall be considered and disposed of on its own merit in accordance with law unprejudiced by the present order.

The anticipatory bail application stands disposed of.

(Kishore Kumar Mandal, J)

HR/-

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