

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29258 of 2017

Arising Out of P.S.Case No. -92 Year- 2017 Thana -ALOULI District- KHAGARIA

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1. Yogendar Prasad Yadav, Son of Late Vishwnath Prasad,
 2. Suman Kumar, son of Yogendra Prasad Yadav, Both Resident of Village- Tharua Tola, Police Station- Alauli, District- Khagaria.

.... Petitioners

Versus

The State of Bihar

.... Opposite Parties

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Appearance :

For the Petitioners : Mr. Binay Kumar, Advocate
For the Opposite Party : Mr. Dr. Kumar Uday Pratap, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 01-07-2017 Heard.

The petitioners apprehend their arrest in connection with Alauli P.S.Case No.92 of 2007 pending in the Court of CJM, Khagaria registered for the offence under Section 307, 386, 379 and other Sections of the IPC.

The informant in his written report has alleged that in the light of letter no.454 dated 11.03.2017 of District Education Officer, Khagaria and letter no.125 dated 15.03.2017 of Block Education Officer, Alauli, he was transferred and deputed to the post of Principal at Middle School, Tharua Tola. He has further stated that on 19.03.2017, he received a call over mobile from the accused demanding *Rangdari* to the tune of Rs two lacs. The informant visited at school on 29.03.2017 for taking charge from



the accused Yogendra Prasad Yadav where the accused abused and demanded rangdari of Rs.1,0000/-. The informant left the school without taking charge and while returning towards Khagaria by his motorcycle, the petitioner no.2 followed him by his motorcycle along with an unknown person. He dashed his motorcycle and assaulted him by a rod and after snatching gold chain and cash amount of Rs.15,000/-, they escaped from the place of occurrence.

The learned counsel for the petitioners submits that the petitioners was posted in the said school as I/C Headmaster since before the occurrence. In course of taking charge, some differences cropped. The petitioners insisted the informant to take charge in pen and paper but the informant evaded to take charge in the manner suggested by the petitioners. The demand of ransom is baseless and unbelievable. The petitioners have no criminal antecedent and so they deserve anticipatory bail.

The learned APP opposed the prayer by stating that the allegation of assault and taking money is specific and so they do not deserve anticipatory bail.

On perusal of FIR and annexures available on record I find that the allegation of demand of *rangdari* and assault is specific against these petitioners. The petitioner no.1 being I/C



Headmaster of the school was duty bound to make over charge to the informant. The petitioners for the reasons known to him, did not hand over charge. He and his son who are petitioners before this Court abused and assaulted the informant. The petitioner no.2 along with one unknown followed by his motorcycle. He dashed his motorcycle and assaulted him by rod and snatched money from his possession. The injury report on record shows that the informant sustained two injuries which were caused on his chest and left ear caused by hard blunt substance and he was referred to higher centre for treatment.

Considering the specific allegation of demand of rangdari, assault on the vital part of the informant and also taking money from his possession, the prayer of anticipatory bail of the petitioners is rejected.

(Sanjay Kumar, J)

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