

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.477 of 2019**

Arising Out of PS. Case No.-250 Year-2015 Thana- ARWAL District- Jehanabad

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Tuntun Kumar@ Prince Kumar S/o Binay Kumar R/o village- Rojapur, P.S –
Arwal, District-Arwal

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Arvind Prasad Singh
For the Respondent/s : Mr.Sadanand Paswan

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT**

Date : 11-04-2019

This is an appeal under Section 14A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer of anticipatory bail dated 15.12.2018 passed by the learned Addl. Sessions Judge- 1st Jehanabad in ABP No. 1869 of 2018 arising out of Arwal P.S.Case No. 250 of 2015 registered under Sections 323, 341,448, 504 and 506 of the Indian penal Code and Sections 3(i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellant is that he entered inside the class room and assaulted one student and when the informant objected, he abused him and fled away.

Submission of learned counsel for the appellant is that no



specific allegation with respect to abusing by caste name has been made and considering the same, appellant was released by the police on giving undertaking before him and he has not misused the same.

Heard learned Spl. P.P also.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to him rather he should surrender within a period of six weeks from the date of receipt of a copy of this order and make prayer for regular bail, which shall be considered on the basis of fact that he was released on undertaking by the police and he has not misused the privilege of same and also has no criminal antecedent, and disposed of prayer of bail,without being prejudiced by this order, if possible, on the same day.

(Vinod Kumar Sinha, J)

suji/-

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