

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2967 of 2017

Arising Out of PS.Case No. -8 Year- 2017 Thana -SC/ST District- AURANGABAD

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1. Dr. Chandra Bhushan Kumar, Son of Janeshwar Prasad, Resident of Village- Shankarpur, P.S.- Obra, District- Aurangabad, at present resident of Chilki Amba, P.S.- Amba, District- Aurangabad.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Bindeshwar Prasad Singh

For the Respondent/s : Mr. Smt Usha Kumari No-1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 14-11-2017 Heard learned counsel for the appellant.

This appeal has been filed for grant of bail in connection with Aurangabad SC/ST P.S. Case No. 08 of 2017, registered for the offences punishable under Sections 304 of the Indian Penal Code and Section 3(2)(V) Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and for setting aside the impugned order dated 13.09.2017 passed by the 1st Additional Judge-cum-Special Judge, Aurangabad.

Allegation against the appellant is that he has operated upon the wife of the informant and later on, she died.

Submission of learned counsel for the appellant is that he has falsely been implicated in this case. There is delay of 23 days in lodging the F.I.R. and in enquiry, the allegation has not



also been substantiated. The appellant is in custody for two and half months.

Heard learned Special P.P.

Having heard both sides and in view of the fact and circumstances, the appeal is disposed of with a direction to the learned trial court that once the charge-sheet has been submitted in this case and on verification if there is no other allegation against the appellant except as stated above, he will be released on bail to his satisfaction.

Accordingly, this appeal is disposed of.

(Vinod Kumar Sinha, J)

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