

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4744 of 2019

Arising Out of PS. Case No.-44 Year-2017 Thana- SC/ST District- East Champaran

DR. S.K. SRIVASTAVA @ LAKHI SRIVASTAVA @ SANTOSH KUMAR
Son of Ram Chandra Srivastava @ Bhairvi Prasad Resident of Village -
Kamalpur, P.S.- Barauli, District- Gopalganj

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Dhurendra Kumar
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 17-12-2019 Heard learned counsel for the appellant and

learned Special Public Prosecutor for the State.

The appellant in the present appeal is seeking setting aside the order dated 27.09.2019 passed in A.B.P. NO. 2407 of 2019 in connection with Motihari SC/ST P.S. Case No. 44 of 2017 registered under sections 341, 323, 504 of the Indian Penal Code and 3(i)(a)(r)(s) of SC/ST (Prevention of Atrocities) Amendment Act, 2015 passed by learned 1st Additional Sessions Judge cum Special Judge, SC/ST, East Champaran at Motihari.

Pursuant to the last order dated 12.12.2019, the appellant was required to file a supplementary affidavit stating as to whether he is in possession of a valid degree to



practice medical profession, although supplementary affidavit has not been filed, but learned counsel for the appellant submits that he has got instruction to say that the appellant does not possess any degree to practice medical profession.

At this stage, learned Special P.P. for the State submits that the appellant has been declared absconder, process under Section 82 & 83 Cr.P.C. have been taken out against him.

Considering the facts and circumstances of the case wherein the appellant is seeking anticipatory bail and he has described himself as doctor but now his stand is that he has no degree to practice medical profession and that is the allegation in the first information report, this court is not inclined to grant privilege of anticipatory bail to the appellant.

The appeal stands dismissed.

(Rajeev Ranjan Prasad, J)

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