

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.783 of 2023

Arising Out of PS. Case No.-461 Year-2022 Thana- SAKRA District- Muzaffarpur

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Pawan Kumar @ Dr. Pawan Kumar Son Of Raghunath Paswan R/V-
Bariyarpur, P.S.- Sakra (Bariyarpur O.P.), District- Muzaffarpur

... .. Appellant/s

Versus

1. The State Of Bihar
2. Tetari Devi Wife Of Laldeo Ram R/V- Baji Raut, P.S.- Sakra, (bariyarpur
O.P.), District- Muzaffarpur

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Shyameshwar Kumar Singh

For the Respondent/s : Mr.Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 20-07-2023 Heard learned counsel for the appellant and

learned Special P.P for the State.

The appellant has challenged the order dated

11.01.2023 passed by learned Additional District &

Sessions Judge-I-cum-Special Court, SC/ST Act,

Muzaffarpur in connection with Sakra (Bariyarpur O.P)

P.S. Case No. 461 of 2022 instituted for the offences

punishable under Sections 420, 384, 307, 120(B) of the

Indian Penal Code, under Sections 18, 19 of the

Transportation of Human Organs and Tissues Act, 1994

and Sections 3(1)(c) of the SC/ST (Prevention of



Atrocities) Act whereby his prayer for being released on bail has been rejected.

It is alleged against all the F.I.R named accused persons including the appellant that they on the pretext of treatment, they operated the daughter of the informant and took out the kidney of the daughter of the informant.

It is submitted by learned counsel for the appellant that appellant is innocent and he has falsely been implicated in this case. The appellant is neither doctor nor owner of the said hospital. He is only the owner of the building under which the hospital was running. The appellant has no concern with any kind of operation done in the hospital. The appellant is languishing in custody since 16.11.2022. A statement has been made in para 3 of the petition is that appellant has no criminal antecedent.

Learned Special P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the



appellant and submitted that appellant is the main kingpin of the hospital where kidney of the daughter of the informant was removed without her consent. The independent witnesses during investigation has also supported this fact that under under the control of this appellant, the hospital was running.

Considering the facts aforesaid, this Court is not inclined to grant the privilege of bail to the appellant. The prayer for grant of bail to the appellant stands rejected.

The appeal stands dismissed.

The Trial Court is directed to expedite the trial and conclude the same at the earliest.

(Sunil Kumar Panwar, J)

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