

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1095 of 2015

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Anant Kumar Son of Girijesh Sharma resident of Village- Ur-Bishunpur,
Police Station- Alipur District Gaya.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Director General of Police, Bihar, Patna
3. The Deputy Inspector General of Police, Magadh Range, Gaya.
4. The Senior Superintendent of Police ,Gaya.
5. The Rural Superintendent of Police, Gaya.
6. The Deputy Superintendent of Police, Tekari District Gaya.
7. The Officer-in-Charge ,Tekari Police Station District Gaya.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr.

For the Respondent/s : Mr. Pandey S Sahay

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 06-03-2017 This writ application has been filed for the
following reliefs :-

(i) To direct the respondent authorities to
properly investigate the Alipur P.S. Case No. 28 of 2015 and take
coercive majors against the accused persons.

(ii) For issuance of direction to the respondent
authorities to send the Skelton and bones recovered from the
drainage in Forensic Science Laboratory for proper examination.

(iii) For issuance of direction to the respondent
authorities to enquire the matter through any independent agency
as in spite of several reminders the recovered bones and Skelton



has not been send for report of Forensic Science Laboratory.

(iv) And/or any other relief or reliefs to which the petitioner may be found entitled in course of hearing of this writ application.

The daughter of the petitioner aged about 13 months was found missing on 19.04.2015 while she was playing outside the house. On search, she could not be found. The suspicion is against Horil @ Gautam Kumar. After two months of the occurrence, a decomposed dead body was found in the drainage. On the basis of Skelton of the dead body, the person who saw, identified that the dead body is of the victim girl.

The State respondents in the counter affidavit dated 25.02.2016 stated that the decomposed dead body was recovered on 13.06.2015 and the same was sent in pursuance of the order of the Court to the Head of Department, Forensic Medical Test, Anugrah Narayan Magadh Medical College, Gaya. The accused was already arrested on 24.04.2015 and charge-sheet No. 41 of 2015 was filed on 30.05.2015.

Now the grievance of the petitioner is that the Skelton should have been sent to Forensic Science Laboratory which has not been done by the respondents because at Forensic Science Laboratory, there is facility for DNA test also.



The writ application does not disclose that the aforesaid stand was specifically taken. In the circumstances, no counter affidavit is on the point expressing the reason for not sending the Skelton to the Forensic Science Laboratory. However, the main grievance of the petitioner has already been redressed.

In the circumstances, this writ application stands disposed of.

(Birendra Kumar, J)

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