

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.737 of 2018

Arising Out of PS.Case No. -null Year- null Thana -null District- BUXAR

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Ranjeet Kumar Verma @ Munna Seth S/o Laxmi Narayan Seth, R/o Civil Line
Buxar, P.S.- Buxar (T), Distt.- Buxar.

.... Petitioner

Versus

1. The State of Bihar Through Home Secretary, Old Secretariat, Patna.
2. The Superintendent of Police, Buxar.
3. Officer In Charge, Buxar (T), P.S.- Buxar.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. S.R.P. Sinha, Sr, Advocate
Mr. Ravi Shankar Sahay, Advocate
Mr. Navin Kr. Jha, Advocate
For the Respondent/s : Mr. Utsav Kumar, A.C. to G.A.4

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL JUDGMENT

Date: 08-05-2018

Heard learned senior counsel for the petitioner as
well as learned counsel representing the State.

The grievance of the petitioner is that his request
made to the trial court for getting the thumb impression of the
informant examined through a finger expert has not been
accepted only on the ground that this plea is being taken at a
belated stage of the case with an intention to delay the disposal
of the case.

Learned senior counsel submits that the defence
evidence has still not started in this case and at this stage if the
defence has made an application seeking examination of the
thumb impression of the informant through a finger expert by



sending it to Forensic Science Laboratory, it would not be just and proper to debar the petitioner, who is an accused in the criminal case, from defending himself only on the ground that it is a belated stage.

Learned counsel representing the State has not come out with much resistance considering the nature of prayer of the petitioner whereunder he is only seeking examination of the thumb impression of the informant through a finger expert.

Having heard learned senior counsel for the petitioner and learned counsel representing the State, this court is of the considered opinion that the petitioner who is facing trial for an offence alleged under Section 302 of the Indian Penal Code may be allowed an opportunity to defend himself to his satisfaction and for that reason the court while setting aside the order dated 22.12.2017 would allow the application dated 16.12.2017 filed on behalf of the petitioner in the trial court. The learned trial court is directed to send the admitted thumb impression of the informant with the disputed one to the government Forensic Science Laboratory for getting the same examined through a finger expert. The Forensic Science Laboratory will be requested to get the same examined through a finger print expert and submit a report within a period of 30



days from the date of receipt of such request from the trial court.

In the meantime, the trial of the case shall go on but the defence evidence will be closed only after getting report from the Forensic Science Laboratory and after giving him an opportunity to defend himself on the basis of such a report.

The criminal writ application stands disposed off.

Rajeev/-

(Rajeev Ranjan Prasad, J.)

AFR/NAFR	NAFR
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