

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29400 of 2019

Arising Out of PS. Case No.-63 Year-2016 Thana- EKMA District- Saran

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1. SANTOSH RAI, S/o Devnath Rai R/o Village- Karbaliya Tola, P.S.- Manjhi District- Saran.
 2. Savita Devi @ Sabita Debi W/O Santosh Rai, R/o Village- Karbaliya Tola, P.S.- Manjhi District- Saran.
 3. Devnath Rai S/o Late Shivdeni Rai, R/o Village- Karbaliya Tola, P.S.- Manjhi District- Saran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anant Kumar Bhaskar
For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

6 22-10-2019 Petitioners seek bail in anticipation of their arrest in connection with Ekma P.S. Case No. 63 of 2016, registered for the offences punishable under Sections 302/201 of the Indian Penal Code.

As per F.I.R., dead body of a lady was recovered in a decompose condition and an F.I.R. was lodged by Chowkidar, later on Rajkishore Rai and Rina Devi identified the body as their daughter. There is allegation against the petitioners that they have killed and thrown the dead body.

Submission of the learned counsel for the petitioner is that they have lodged the case with respect to the fact that



deceased is traceless and later on dead body was recovered and dead body is in decompose condition and it can said that the same is daughter of Rajkishore Rai and Rina Devi and as such sample of dead body has been sent to Forensic Science Laboratory for DNA test for identification. Now the same has been received.

Heard learned A.P.P. and perused the record, it appears that the report received from the Forensic Science Laboratory disclosed that “from the DNA test performed on the exhibits provided is sufficient to conclude that the source of exhibit C (deceased) is not the biological daughter of the sources of exhibits A (Mr. Raj Kishor Ray) and B (Mrs. Reena Devi)”.

Considering the above, this application is allowed. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Five Thousand) each with two sureties of the like amount to the satisfaction of learned A.C.J.M., 1st , Saran at Chapra in connection with Ekma P.S. Case No.-63 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure and further condition is that one of the



bailors of the petitioners shall be a local person having sufficient
immovable property within the jurisdiction of the Court
concerned.

(Vinod Kumar Sinha, J)

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