

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10704 of 2020

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

AWADHESH RAI @ AWDDHESH RAI S/o Deonanath Rai R/o village-
Karbalia Tola, P.S.- Ekma, 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.Pancha Nand Pandit

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 01-07-2020 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor representing the State, through
Video Conferencing.

This application, for grant of anticipatory bail, arises
out of Ekma Police Station Case No. 63 of 2016, disclosing
offences under Sections 302/201 of the Indian Penal Code.

The prosecution case, as per the First Information
report lodged by the village chowkidar, is that a decomposed
dead body of a woman was found in the field. Later on, one Raj
Kishore Rai and Rina Devi claimed that the dead body of the
lady was of their daughter and alleged that the petitioner, along
with other co-accused persons, have killed their daughter and
had thrown her dead body in the field.

Learned Counsel for the petitioner submits that the



petitioner has falsely been implicated in this case inasmuch as the claim of Raj Kishore Rai and Rina Devi was investigated into and the sample of the dead body as well as blood of Raj Kishore Rai and Rina Devi was sent to the Forensic Science Laboratory for D.N.A. test. He further submits that from Annexure 4, which is the bail order, dated 22.10.2019, passed by this Court in favour of co-accused persons, it appears that the F.S.L. report disclosed that the deceased was not the biological daughter of Raj Kishore Rai and Rina Devi. He further submits that on the basis of the F.S.L. report, other co-accused persons have been granted bail by this Court, by order, dated 22.10.2019, passed in Criminal Misc. No. 29400 of 2019.

Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the deceased was not the biological daughter of Raj Kishore Rai and Rina Devi and similarly situated co-accused persons have been granted anticipatory bail by this Court, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks from today, be released on bail on furnishing bail bond of Rs.



10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Chief Judicial Magistrate, Saran, at Chapra, in connection with Ekma Police Station Case No. 63 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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