

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
Criminal Writ Jurisdiction Case No.82 of 2017**

Arising Out of PS. Case No.-77 Year-2016 Thana- ARER District- Madhubani

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Ashok Singh @ Ashok Kumar Singh Son Of Late Jagdish Prasad Singh
Resident Of Village- Pakarsam, P.S.- Saharghat, District- Madhubani.

... .. Petitioner

Versus

1. The State Of Bihar Through The Chief Secretary, Govt. Of Bihar, Patna
2. D.G.P. Govt. of Bihar, Patna.
3. D.I.G. Darbhanga.
4. District Magistrate, Madhubani.
5. Superintendent of Police Madhubani.
6. Officer In Charge , Police Station Arer O.P. Benipatti, Madhubani.
7. Civil Surgeon Medical Department, Madhubani.
8. Post Mortem Officer, Dr. Bedanand Jha Madhubani/Darbhanga.
9. Director, F.S.L. Bihar Patna.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate
For the Respondent/s : Mr. Anil Kumar, AC to SC 8

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

5 02-09-2022 Heard learned counsel for the petitioner and Mr. Anil Kumar, learned AC to SC 8 for the State.

This writ application has been filed for a direction to the respondent authorities to take immediate action against the respondents to give direction to Director, Forensic Science Laboratory, Patna to send viscera report of Sonu Kumar @ Sany Singh and Deepak Kumar Jha and to send the said report to the learned court below.

It is the case of the petitioner that the petitioner met the Investigating Officer and Superintendent of Police on several



occasions regarding the viscera report but they were not taking interest to bring the viscera report and there is every possibility that without the viscera report, the accused persons will be benefited.

Learned counsel for the petitioner is unable to inform this Court as to the present stage of the case and whether the viscera report has been sent to the learned court below or not.

On perusal of the counter affidavit, it appears that the I.O. of the case is said to have taken all necessary steps and sent the viscera of the deceased to the Forensic Science Laboratory. It is stated therein that chemical examination is to be done by the Forensic Science Laboratory but nothing has been stated as to whether the Forensic Science Laboratory has done its job or not.

In the given facts and circumstances of the case, this Court is disposing of this writ application with a direction to the Superintendent of Police, Madhubani to look into the matter and in case, the viscera report has not been sent by the Director, Forensic Science Laboratory, Patna the same must be procured and efforts in accordance with law be taken to place the same before the learned court below.

This writ application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

