

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76003 of 2025

Arising Out of PS. Case No.-204 Year-2024 Thana- SINGHWARA District- Darbhanga

Akash Kumar S/o Dinesh Sahni R/o Village - Agyaspur, P.S - Singhwara,
District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Jitender Kumar, Advocate Mr. Gulfeshan, Advocate Mr. Yuvraj Kumar, Advocate Mr. Saurav Kumar Singh, Advocate Mr. Divyam Kumar, Advocate
For the Opposite Party/s :	Mr. Syed Mojibur Rahman, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 01-12-2025 Heard learned counsel for the petitioner, learned
At 04:00 p.m. A.P.P. for the State and learned counsel appearing on behalf of
the informant.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 137(2), 96 and 3(5) of the BNS.

3. The case was taken up at 02:30 p.m. when the Director, FSL, Patna was directed to remain physically present before the Court at 04:00 p.m.

4. The Director, FSL, Patna, the Station House Officer and the Investigating Officer of the case are present in the Court.

5. Learned counsel appearing on behalf of the



petitioner submits that petitioner is a person with clean antecedent and is a young boy, aged about 20 years and the informant alleges that her daughter on 24.07.2024, at 10.00 a.m., went for tuition but did not return. During search, the informant came to know that her daughter was kidnapped by the petitioner and Baby for getting her married, accordingly, she went to the house of Akash where parents of Akash said that the victim will be returned after two days but she did not come back.

6. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is further submitted that petitioner and the victim were in love but then the relationship was being opposed by the informant and her family members. It is next submitted that during the course of investigation, a dead body was recovered from a river on 01.08.2024 and the same was identified by the informant as that of her daughter from the clothes on the dead body, thereafter, on 02.08.2024, postmortem of the dead body was done and the postmortem report records that the death took place between 20-25 days prior to the postmortem. It is also submitted that the postmortem report reveals that the victim died in between 07.07.2024 to 12.07.2024 and the FIR



was instituted on 27.07.2024 alleging kidnapping of the victim on 24.07.2024. It is further submitted that it appears that the informant was aware of the fact that her daughter has been killed much prior to the date of occurrence but still the instant FIR came to be instituted alleging kidnapping of the victim on 24.07.2024 only with a view to cover up the misdeeds of honour killing. It is next submitted that since the informant and her family members were opposing the relationship of the victim with the petitioner, as such, she was killed and the petitioner came to be implicated subsequently by way of afterthought.

7. The Station House Officer and the Investigating Officer of the case, in compliance of the order dated 26.11.2025, were present in the Court at 02:15 p.m. and it was submitted on their behalf that the DNA samples of the dead body and the informant was sent to the FSL for identifying whether the body recovered was that of the daughter of the informant or not as the dead body found from the river on 01.08.2024 was in a decomposed state and the informant had identified the body based on the clothes which were there on the dead body. It was further submitted that the DNA samples were sent to the FSL on 13.09.2024 but the DNA report till date was not available, as such, the Director, FSL, Patna was asked to remain physically



present before this Court at 04:00 p.m. to explain as to why it takes so long in conducting the DNA sampling.

8. The Director, FSL, Patna is present in the Court along with the report and he submits that from perusal of the report, it would manifest that the same records that the DNA sample of the informant matched with the dead body of the victim on which learned APP submits that the same amply corroborates that informant and the victim were mother and daughter.

9. At this stage, learned counsel appearing on behalf of the petitioner reiterates and submits that the FIR was instituted on 27.07.2024 alleging that the daughter of the informant was kidnapped by the petitioner on 24.07.2024 with an intent to marry but then the dead body was recovered on 01.08.2024 and the same was sent for postmortem on 02.08.2024 when the postmortem report recorded that the death took place 20-25 days prior to the date of postmortem, accordingly, DNA samples were sent and the same has matched which amply demonstrates that the victim was killed much prior to 24.07.2024 and to cover up the misdeeds of honour killing the present false case came to be instituted.

10. Learned A.P.P. for the State is not in a position to



rebut the said submission of the learned counsel appearing on behalf of the petitioner but then the learned counsel appearing on behalf of the informant submits that it is an aspect of the investigation.

11. Considering the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/Successor Court in connection with Singhwara P.S. Case No. 204 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

12. The personal appearance of the Director, FSL, Patna, the SHO and the Investigating Officer of the case is dispensed with.

(Satyavrat Verma, J)

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