

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. A. (DB) No. 110 of 2026

Dwarika Turi, aged about 35 years, son of Late Hari Turi, resident of Village-Nimadih, P.O.-Arkhang, P.S.-Rajdhanwar, District-Giridih, Jharkhand

... .. **Appellant**

Versus

The State of Jharkhand

..... **Respondent**

CORAM: HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY
HON'BLE MR. JUSTICE PRADEEP KUMAR SRIVASTAVA

For the Appellant	: Mr. B.M. Tripathy, Sr. Advocate
For the State	: Mr. Shiv Shankar Kumar, A.P.P.
For the Informant	: Mr. Fahad Allam, Advocate

Order No. 04/ Dated: 04th May, 2026

I.A. No. 3374 of 2026

Heard Mr. B.M. Tripathy, learned senior counsel for the appellant and learned A.P.P. assisted by Mr. Fahad Allam, learned counsel appearing for the informant.

2. This application has been preferred by the appellant for grant of bail to him, during the pendency of this appeal.

3. The appellant has been convicted for the offences under Sections 302/201 of the I.P.C. and has been sentenced to undergo imprisonment for life along with fine of Rs. 25,000/-.

4. It has been alleged that the dead body of Shakur Mian with several injuries were recovered from the forest. Further allegation has been leveled that the deceased had gone to the forest along with the appellant and he was last seen with the present appellant.

5. Submission has been advanced by the learned senior counsel for the appellant admittedly there are no eye-witnesses to the incident and only on the basis of circumstantial evidence the appellant has been convicted.

Learned senior counsel while referring to the evidence of the investigating officer has submitted that the investigating officer has admitted that there are no eye-witnesses to the occurrence but based on a circumstantial evidence and that too with respect to recovery of the murder weapon as well as a blood stained shirt of the appellant, he has been convicted. While referring to the F.S.L. report which has been marked as Exhibit-P18, learned senior counsel submits that though the D.N.A. profile of the murder weapon which is an axe was found to be containing human blood but so far as the blood stained shirt of the appellant is concerned, no D.N.A. profile could be generated from the same and therefore, the chain of circumstances have been snapped on account of such non-matching of the blood samples of the murder weapon as well as the shirt and in such circumstances, the appellant deserves to be released on bail.

6. Learned A.P.P. as well as learned counsel for the informant have opposed the prayer for bail of the appellant.

7. It appears that though admittedly there are no eye-witnesses to the occurrence but the circumstances indicate that it was at the behest of the appellant that a blood stained *Tangi* was recovered and the F.S.L. report indicates that blood of human origin was detected in the said *Tangi*. So far as the shirt of the appellant which was recovered from his house is concerned, no D.N.A. profile could be generated as per the F.S.L. report and therefore, it cannot be concluded that the D.N.A. profile of the blood stained *Tangi* as well as the shirt did not match. It also appears that the deceased was last seen with the appellant and coupled with the disclosure of the appellant which led to recovery of a blood stained *Tangi* which contained blood of human origin as per F.S.L. report, we are not inclined to

admit the appellant on bail. Accordingly, the prayer for bail of the appellant is hereby rejected at this stage.

8. The aforesaid I.A. stands disposed of.

(Rongon Mukhopadhyay, J.)

(Pradeep Kumar Srivastava, J.)

04.05.2026

Arpit

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