

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55833 of 2024

Arising Out of PS. Case No.-45 Year-2022 Thana- ADHAOURA District- Kaimur (Bhabua)

Chandrama Singh @ Baiga Son of Ramnath Singh R/o village - Mandha,
P.S.- Adhaura, District - Kaimur at Bhabua

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ram Sakal Singh Kharwar Son Of Not Known R/O Village - Bandha, P.S.-
Adhaura, District - Kaimur At Bhabua

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate
For the State : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 25-09-2024 Heard the parties.

2. The petitioner is in custody in connection with Adhaura P.S. Case No. 45 of 2022 for the offence punishable under section 302 of the Indian Penal Code lodged on 11.09.2022, by the informant, Ram Sakal Singh.

3. As per the prosecution story, the informant alleged that his minor daughter had gone to her she goat graze the field but failed to return. Upon search, the dead body was found with injuries all over her body. Accordingly, the F.I.R.

4. In this case, case diary was called for and the learned APP has taken this Court to the different paragraphs



to show that on suspicion that the accused used to enquire about the girl (as she always used/wore the dress of a male person) as to whether she is male or female. Accordingly, they were picked up and then DNA test matched with the blood of the deceased.

5. The post mortem report is also there which shows that before the killing, there was forceful penetration on the minor deceased girl. The Doctor conducting post mortem at Patna Medical College and Hospital, Patna recorded as follows:-

1. Cause of death was Cranio Cerebral damage from head injury and its complication consequent upon blunt force impact.

2. All injuries Antemortem in nature an post mortem findings consistent with forceful penetration of Vagina by hard erected penis disproportionate size (Vaginal Slide Prepared, dried up, labelled, sealed for FSL Examinations).

3. Time since death approximately within above 36 to 48 hours approx prior to P.T.E.

6. Considering the heinous allegation that has



come against the accused persons including this petitioner where a minor innocent girl was killed after ravishing her body and charge sheet has been submitted not only under Sections 302 but also 376 of the Indian Penal Code beside the different sections of the POCSO Act, this case can be put in the category of the heinous crime committed by the accused persons against an innocent girl who left this world with dreams in her eyes, the petitioner is not entitled for any relief.

7. The bail application stands rejected.

(Rajiv Roy, J)

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