

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(PIL) No. 2172 of 2026

Court on its own Motion

Versus

The State of Jharkhand and Ors.

... .. Respondents

CORAM: HON'BLE MR. JUSTICE SUJIT NARAYAN PRASAD
HON'BLE MR. JUSTICE ANUBHA RAWAT CHOUDHARY

Amicus Curiae : Mr. Hemant Shikarwar, Advocate
For the Resp.-State : Mr. Sachin Kumar, AAG-II
Mr. Srikant Swaroop, AC to AAG-II
Mr. Gaurav Raj, AC to AAG-II

02/Dated: 30th March, 2026

1. Today, at 10:30 am when the Court proceeding started, then, Mr. Hemant Shikarwar, learned counsel has drawn the attention of this Court towards a news published in the daily newspaper, namely, 'Hindustan' dated 29th March, 2026 with respect to an occurrence took place in the district of Hazaribagh particularly in the P.S.-Vishnugarh.
2. The copy of the newspaper, i.e., 'Hindustan' dated 29th March, 2026 has been placed before this Court wherein the incident of committing rape of a 12 years old female child and subsequently her brutal murder has been reported.
3. It has been submitted that the tongue of the victim has been cut and also there is serious assault on her private part.
4. It has also been submitted that the incident took place on 24th March, 2026 and the FIR has been instituted on 25th March, 2026.
5. It has also been pointed out by Mr. Shikarwar, learned counsel that although the FIR was instituted on 25th March, 2026 but as yet, there is no arrest of the culprit.
6. It has also been submitted that on the one hand, there is no arrest of the culprit and on the other hand, the mother of the victim, who

is earning her livelihood by working in a brick clin, is being threatened.

7. It has also been submitted that all efforts are being made to tamper the evidence by putting coercion upon the mother of the victim.
8. This Court, considering the sensitivity of the issue, particularly the commission of rape of a female child aged about 12 years and thereafter her brutal murder and lethargic attitude of the police, has thought it proper to take cognizance of the occurrence with a direction to the Office to institute a *suo motu* case.
9. Accordingly, the office is directed to institute a *suo motu* case as a public interest litigation.
10. This Court has requested Ms. Anjana Asthana, learned Member Secretary, JHALSA to join the court proceeding. She has joined the court proceeding through virtual mode and has stated that immediately after the publication of the incident, the District Legal Services Authority became active and requested the Hazaribagh Police to immediately institute the FIR as also to proceed with the investigation so that the culprit may be apprehended forthwith.
11. This Court, thereafter, had requested Mr. Srikant Swaroop, learned AC to Mr. Sachin Kumar, learned AAG-II to ask the Superintendent of Police, Hazaribagh to join the Court proceeding through virtual mode.
12. Mr. Srikant Swaroop, learned AC to learned AAG-II has informed the same to Mr. Sachin Kumar, learned AAG-II and considering the sensitivity of the issue, has asked the S.P. Hazaribagh to join the Court proceeding by getting the link through the Court Master.

13. The S.P., Hazaribagh, Mr. Anjani Anjan has appeared through virtual mode and has stated that the endeavours are being taken to have the proper investigation.
14. This Court has posed a query that as to whether the culprit has been arrested or not, then, the S.P., Hazaribagh has stated that as yet nobody has been arrested.
15. This Court in the aforesaid context is of the view that what type of investigation is being conducted since in such a heinous nature of crime, even after lapse of 05 days, the culprit has not been arrested.
16. The S.P., Hazaribagh has stated that he is trying to connect the culpability of the criminals in the crime by getting the help of the technical team so that the involvement of the particular person be tagged with the help of the availability of the location based upon the mobile phone.
17. This Court when has asked as to whether the clothes of the victim and other samples have been collected or not then, the S.P., Hazaribagh has stated that the samples have been collected.
18. This Court further posed a question that as to whether the samples, which have been collected, have been sent to the FSL or not then, the S.P., Hazaribagh has stated that as of now, the same have not been sent to the FSL and for that, an application is to be filed before the Court for getting permission to sent the samples to the FSL.
19. Mr. Shikarwar, learned counsel, in the aforesaid context, has submitted that there is no requirement of seeking permission for the purpose of sending the samples to the FSL rather it is the domain of the investigating officer to send the samples to the FSL forthwith so that there may not be any manipulation with the samples.

20. This Court is of the view that keeping the samples in the possession of the investigating officer appears that the investigating officer is not properly proceeding.
21. The S.P., Hazaribagh has also disclosed that the post mortem of the deceased victim has been conducted by following all the procedure and even the videography of the entire process has been conducted.
22. This Court, considering the aforesaid statement of the S.P., Hazaribagh, is of the view that the investigation which ought to have been conducted so as to get hold of the culprit has not been conducted properly.
23. This Court, before placing the matter before the Hon'ble The Chief justice, has thought it proper to pass the following directions:
 - (i) Let notice be issued upon the Secretary, Home; D.G.P., State of Jharkhand and S.P., Hazaribagh and they are directed to file their respective affidavits.
 - (ii) The D.G.P., State of Jharkhand is directed to look into the matter as to why even after lapse of 05 days, the samples, which is the prime evidence of the occurrence, has not yet been sent to the FSL and why the same has been kept in the possession of the investigating officer. Let appropriate affidavits be filed in this regard.
 - (iii) Learned Member Secretary, JHALSA is directed to look into the matter under the scope of the scheme which has been floated by the JHALSA as also instruct the Secretary, DLSA to work in tandem with the investigating officer so that there may not be any tampering of the evidence.
24. This Court is also of the view that the security of the family members of the deceased victim and important witnesses is of utmost importance.

25. This Court, in this regard, is making it clear that if any untoward incidence happens with the family members of the deceased victim and important witnesses, then, it will be the personal accountability of the S.P., Hazaribagh.
26. Let the matter be placed before the Hon'ble The Chief Justice.
27. Let the newspaper 'Hindustan' dated 29th March, 2026 be made part of the proceeding.
28. Let the name of Mr. Sachin Kumar, learned AAG-II be reflected in the daily cause list.

(Sujit Narayan Prasad, J.)

(Anubha Rawat Choudhary, J.)

30th March, 2026

Saurabh/-

Uploaded on: 30.03.2026