

**Court of Addl. Sessions Judge-I-Cum-Fast Track Court for Rape Cases,
Hazaribagh**

S.T. Case No.432 of 2022

CNR No.JHHB01008127-2022

31.01.2025

Order on the Point of Sentence

Record is put up for hearing on the point of sentence. The convict Vimal Kumar (A1) and Lal Pratap Anokha alias Raja (A2) are produced from judicial custody through video conferencing.

Present Ld. defence counsels appearing on behalf of convicts and Ld. Addl. P.P. for the State.

Heard the learned counsels for the convicts and the learned Addl. P.P for the State on the point of sentence.

The respective learned counsels for the convicts submit that this is the first offence of the convicts as they are of young and compressable age, hence, lenient view may be taken while awarding sentence and minimum sentence be awarded.

On the other hand, Ld. Addl. P.P for the State prays for imposing maximum sentence to the convicts.

Heard both the sides. Perused the materials available on the record. There is nothing on the record to show previous conviction of any of the convicts. The convicts have been guilty of offences punishable U/s. 302/34 and 201/34 of I.P.C. The convicts are found guilty for committing murder of the victim and concealing the evidence of crime by disposing the dead body in a pond.

On considering the aforesaid facts and circumstances as well as the involvement of these convicts in the alleged offences and weighing out the aggravating and mitigating circumstances of this case, this Court deems it fit and appropriate that the conduct of the convicted persons in committing the offences do not fall in the rarest of the rare case.

Accordingly, this Court sentenced both the convicts namely Vimal Kumar (A1) and Lal Pratap Anokha alias Raja (A2) in following manner:-

Convict	Offence	Sentence		
		Imprisonment	Fine	Default
Vimal Kumar	302/34 IPC	Life imprisonment	Rs.50,000/-	R.I. for six months
	201/34 IPC	Rigorous imprisonment for 3 years	Rs.5,000/-	R.I. for one month
Lal Pratap	302/34 IPC	Life imprisonment	Rs.50,000/-	R.I. for six months

Anokha				
alias Raja	201/34 IPC	Rigorous imprisonment for 3 years	Rs.5,000/-	R.I. for one month

No amount in terms of money can compensate and turn the clock back, and lessen the anguish, sufferings of the victim and her family not to mention about the trauma, the entire family must have gone through. The amount if deposited, be given to the father of the deceased by way of compensation U/s. 357 Cr.P.C.

This Court after considering the nature of offences, committed, the mental and physical trauma suffered by the victim/deceased family is of the opinion that the above-mentioned amount of compensation is not adequate and the victim must be extended the benefit of adequate compensation U/s. 357 A of Cr.P.C. under the victim's compensation scheme. Accordingly, copy of this Judgment be sent to the Secretary, DLSA, Hazaribagh for needful.

Both the sentences will run concurrently. The conviction warrant be issued accordingly. Period undergone shall be set off from the period of sentence. Copy of the Judgment be supplied to the convicts free of cost forthwith.

The convicts are hereby informed that they have right to prefer an appeal against this Judgment. The convicts are further apprised that in case they cannot afford to engage an advocate, they can approach the Legal Aid Clinic functioning in Hazaribagh Jail, or write a request letter to Secretary, D.L.S.A., Hazaribagh for needful.

The record be consigned to the Record room after necessary formalities.

(Onkar Nath Choudhary)
Addl. Sessions Judge-I-Cum-
F.T.C. for Rape Cases, Hazaribagh
Dated, 31.01.2025

(Sentence Dictated & Corrected by me)

(Onkar Nath Choudhary)
Addl. Sessions Judge-I-Cum-
F.T.C. for Rape Cases, Hazaribagh
Dated, 31.01.2025