

IN THE COURT OF THE DISTRICT & ADDITIONAL SESSIONS JUDGE-1<sup>ST</sup>-CUM- SPECIAL  
JUDGE ( SC/ST, CHILDREN & NDPS ACT) AURANGABAD (BIHAR)  
Sessions Trial No. 15/2019

IN THE COURT OF THE DISTRICT & ADDITIONAL SESSIONS JUDGE-1<sup>ST</sup>-CUM- SPECIAL  
JUDGE ( SC/ST, CHILDREN & NDPS ACT)  
AURANGABAD (BIHAR)

Vishwa Vibhuti Gupta

Present:- District & Additional Sessions  
Judge-1<sup>st</sup>-cum- Special Judge  
(SC/ST, CHILDREN & NDPS  
ACT), Aurangabad (Bihar)

[Date of the Judgment:- 23rd. March, 2026]

[ Trial No. 15/2019]

Obra P.S. Case No. 60/2019

C.I.S. No.-35/2019

INFORMANT	State of Bihar through Sudarshan Ram
REPRESENTED BY	Shri Shakti Singh, Learned Spl. PP
<i>Versus</i>	
ACCUSED PERSONS	<ol style="list-style-type: none"><li>1. Manish Kumar, aged about 28 years S/o Ramchand Singh</li><li>2. Ankit Kumar Singh, aged about 26 years S/o Arbind Singh</li><li>3. Rohit Kumar Singh, aged about 27 years S/o Arbind Singh</li><li>4. Pankaj Kumar Singh, aged about 25 years S/o Ranjit Singh</li><li>5. Abhishek Kumar Singh, aged about 24 years, S/o-Subhag Singh</li><li>6. Raju Kumar Singh, aged about 24 years, S/o Shyamji Singh</li><li>7. Raju Kumar Singh, aged about 24 years, S/o- Sadan Singh</li><li>8. Niraj Kumar Singh, aged about 34 years, S/o- Arbind Singh</li><li>9. Prasenjit Singh, aged about 36 Years, S/o- Late Shivprasad Singh</li><li>10. Ranjit Singh, aged about 46 Years, S/o- Late Mandip Singh</li><li>11. Shyamji Singh, aged about 56 Years, S/o- Late Mandip Singh</li><li>12. Sadan Singh, aged about 46 Years, S/o- Late Birbal Singh</li><li>13. Umesh Singh, aged about 58 Years, S/o- Late Haridwar Singh</li></ol> <p style="text-align: center;">All residents of village-Harina, PS-Obra District- Aurangabad(Bihar)</p>
REPRESENTED BY	Shri Lakhandev Singh, Learned Counsel.

**FORM B**

<i>District</i>	<i>Aurangabad</i>
<i>Date of Occurrence</i>	<i>15.03.2019</i>
<i>Date of FIR</i>	<i>15.03.2019</i>
<i>Date of Charge Sheet</i>	<i>30.06.2019</i>
<i>Date of Framing of Charge</i>	<i>04.03.2021</i>
<i>Date of Commencement of Evidence</i>	<i>29.03.2023</i>

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<i>Date on which judgment is reserved</i>	23.03.2026
<i>Date of Judgment/decision</i>	23.03.2026
<i>Date of the Sentencing Order, if any</i>	N/A

**Accused Details**

Rank of the Accused persons	Name of the Accused persons	Date of Arrest/ Surrender	Date of Release on Bail	Offences Charged with	Whether Acquitted of convicted	Sentence Imposed	Period of Detention Undergone during Trail for the purpose of Section 428 Cr.P.C.
A-1	<b>Manish Kumar</b>	17.09.2019	17.09.2019	<b>Section- 147,341/149,323/149,324/14 9, 338,504/149 of the IPC and Section 3(i) (r),3(i)(s) of the SC/ST Act</b>	Acquitted	-N.A.-	-N.A.-
A-2	<b>Ankit Kumar Singh</b>	17.09.2019	17.09.2019		Acquitted	-N.A.-	-N.A.-
A-3	<b>Rohit Kumar Singh</b>	17.09.2019	17.09.2019		-N.A.-	-N.A.-	-N.A.-
A-4	<b>Pankaj Kumar Singh</b>	23.09.2019	23.09.2019		-N.A.-	-N.A.-	-N.A.-
A-5	<b>Abhishek Kumar Singh</b>	23.09.2019	23.09.2019		-N.A.-	-N.A.-	-N.A.-
A-6	<b>Raju Kumar Singh</b>	17.09.2019	17.09.2019		-N.A.-	-N.A.-	-N.A.-
A-7	<b>Raju Kumar Singh</b>	23.09.2019	23.09.2019		-N.A.-	-N.A.-	-N.A.-
A-8	<b>Niraj Kumar Singh</b>	17.09.2019	17.09.2019		-N.A.-	-N.A.-	-N.A.-
A-9	<b>Prasenjit Singh</b>	23.09.2019	23.09.2019		Acquitted	-N.A.-	-N.A.-
A-10	<b>Ranjit Singh</b>	23.09.2019	23.09.2019		Acquitted	-N.A.-	-N.A.-
A-11	<b>Shyamji Singh</b>	23.09.2019	23.09.2019		Acquitted	-N.A.-	-N.A.-
A-12	<b>Sadan Singh</b>	23.09.2019	23.09.2019		Acquitted	-N.A.-	-N.A.-

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A-13	Umesh Singh	23.09.2019	23.09.2019		Acquitted	-N.A.-	-N.A.-
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**FORM C**

**LIST OF PROSECUTION / DEFENCE / COURT WITNESSES**

**Raju Kumar Singh**

**A. Prosecution:**

<b><u>RANK</u></b>	<b><u>NAME</u></b>	<b><u>NATURE OF EVIDENCE</u></b> ( EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
PW-1	Sudarshan Ram	Informant
PW-2	Jagdip Ram	Other Witness
PW-3	Awadhesh Paswan	Other Witness
PW-4	Ranjan Kumar	Other Witness
PW-5	Kundan Kumar	Other Witness

**B. Defence Witnesses, if any:**

<b><u>RANK</u></b>	<b><u>NAME</u></b>	<b><u>NATURE OF EVIDENCE</u></b> ( EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
1.	NIL	NIL

**C. Court Witnesses, if any:**

<b><u>RANK</u></b>	<b><u>NAME</u></b>	<b><u>NATURE OF EVIDENCE</u></b> ( EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
1.	NIL	NIL

**LIST OF PROSECUTION / DEFENCE / COURT EXHIBITS**

**A. Prosecution:**

<b><u>Sr. No.</u></b>	<b><u>Exhibit Number</u></b>	<b><u>Description</u></b>
1.	N/A	N/A

**B. Defence:**

<b><u>Sr. No.</u></b>	<b><u>Exhibit Number</u></b>	<b><u>Description</u></b>
1	NIL	NIL

**C. Court Exhibits:**

<b><u>Sr. No.</u></b>	<b><u>Exhibit Number</u></b>	<b><u>Description</u></b>
1	NIL	NIL

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**D. Material Objects:**

<b>Sr. No.</b>	<b><u>Exhibit Number</u></b>	<b>Description</b>
<b>1</b>	<b>NIL</b>	<b>NIL</b>

**J U D G M E N T**

1. The above named all the accused persons namely 1. **Manish Kumar**, 2. **Ankit Kumar Singh**, 3. **Rohit Kumar Singh**, 4. **Pankaj Kumar Singh**, 5. **Abhishek Kumar Singh**, 6. **Raju Kumar Singh**, 7. **Raju Kumar Singh**, 8. **Niraj Kumar Singh**, 9. **Prasenjit Singh**, 10. **Ranjit Singh**, 11. **Shyamji Singh**, 12. **Sadan Singh** and 13. **Umesh Singh** are facing trial for the offences punishable under Section- **147,341/149,323/149,324/149, 338,504/149 of the IPC and Section 3(i) (r),3(i)(s) of the SC/ST Act**. The charge was read over and explained to the accused persons in Hindi, to which they pleaded not guilty and claimed to be tried.

**Prosecution Case**

2. As per the written application of informant Sudarshan Ram, the prosecution case is brief is that o 15.03.2019, over quarrel among the children during the course of playing cricket, the accused persons are said to have assaulted the informant and his nephew by means of bat. They also assaulted other four persons by means of garasa, sword, lathi, etc. and extended threatening slating him in the name of his caste. Hence, the FIR has been registered.

**Investigation**

3. On the basis of written petition of informant, the law was set in motion and Obra Police Station Case No- 60/2019 dated 15.03.2019, for the offences punishable Under Section-**147,149,341,323,324,504,337,338 of the IPC and Section 3(i)(r), 3(i)(s) of the SC/ST Act has been registered**. The charge sheet no. **89/2019 Dated 30.06.2019** was submitted against the above named accused persons for the offences punishable Under Section- **147,149,341,323,324,504,337,338 of the IPC and Section 3(i)(r), 3(i)(s), 3(2)(va) of the SC/ST Act**.

**Trial**

4. To substantiate the charges leveled against the accused persons, the prosecution has examined altogether five witnesses in its behalf. The defence has not produced any evidence on its behalf. The brief description of the witness is being produced here for easy reference. The prosecution has produced following evidence.

**Points for Determination**

5. On the backdrop of the rival contentions urged at the bar, the main point apposite for determination and adjudication in this case is : Whether the prosecution has been able to prove the charges leveled against the accused persons beyond the shadow of all

reasonable doubt or not ?

**Statement of Accused**

6. After closure of the prosecution evidence, the statement of accused persons has been recorded under section 313(1)(b) of the Code of Criminal Procedure, 1973 on 23.03.2026. While the defence cross-examined the prosecution witnesses to refute the charge on the inculpatory circumstances arising against them, the tone and tenor of the answers of the accused persons to the questions under section 313 (1)(b) of the Cr.PC. depicts the plea of total denial. However, it has been stated by the accused persons that they are innocent and they denied the allegation.

**Arguments advanced by both sides**

7. I have already heard the arguments of learned Counsels of both sides and perused the entire case record. The learned defence Counsel has strenuously argued that the prosecution has completely failed to prove this case beyond reasonable doubts. Out of total 10 witnesses listed in the charge-sheet, five (05) of them have been examined in this case. The doctor and IO and other independent witness have not appeared and the examined witnesses did not support the prosecution case. The other witnesses have denied to have any knowledge of the occurrence and they have been declared hostile. The learned defence Counsel has finally submitted that there is no evidence against the accused persons facing trial in this case. There is no direct evidence to prove the charges leveled against the accused persons. So, the accused persons deserve acquittal.

On the other hand, the Learned A.P.P. appearing for the state has argued that the witnesses have stated that the case of defence is simple denial of occurrence and false implication. The prosecution witnesses have supported the factum of the occurrence and also the prosecution case and there are sufficient materials available on the record. So, it has been prayed that the accused persons are liable for conviction.

**Finding, Discussions, Decisions and Reasons thereof**

8. From perusal of the depositions of these all the five(05) prosecution witnesses produced before the Court, it appears that all the prosecution witnesses including informant of this case have supported the incident during their examination-in-chief but they in their cross-examination took u-turn and deposed that there is no dispute between both the parties and compromise has been done between them and there is no any abuse or insult with him to take his casteism word by the accused persons, the accused persons are his co-villagers, so they identifies them. The informant and other witnesses got injured in push and shove while fleeing and they did not sustain any injury. They have been amicably living to each other. It transpires from the evidences of all prosecution witnesses, no any prosecution witnesses have supported the case of prosecution. It is reveal-worthy that the prosecution is duty bound to prove the charges beyond all shadows of reasonable doubt. But, the

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prosecution has not be able to prove the charges beyond the reasonable doubt made against the accused persons. The evidences produced by the prosecution is pathetically insufficient to prove the guilt of the accused persons of this case.

9. In the light of above discussed facts and evidences, having considered the facts and circumstances of this case as well as evidence and other materials available on the judicial record, this Court comes to conclusion that prosecution has been miserably failed and has not been able to prove the charges against the accused persons through cogent and sufficient evidence before this Court. In the result, therefore, providing benefit of doubt, the above named accused persons are liable to be acquitted from the charges leveled against them.

Accordingly, it is hereby,

**ORDERED**

that the above named accused persons namely 1. **Manish Kumar**, 2. **Ankit Kumar Singh**, 3. **Rohit Kumar Singh**, 4. **Pankaj Kumar Singh**, 5. **Abhishek Kumar Singh**, 6. **Raju Kumar Singh**, 7. **Raju Kumar Singh**, 8. **Niraj Kumar Singh**, 9. **Prasenjit Singh**, 10. **Ranjit Singh**, 11. **Shyamji Singh**, 12. **Sadan Singh** and 13. **Umesh Singh** are hereby **acquitted** from the charges of offences punishable under sections **341/34, 323/34, 379/34, of the IPC and Section 3(i) (r), 3(i)(s), 3(2)(va) of the SC/ST Act**. They are set at liberty and their bailors are also discharge from the liabilities of their respective bail bonds. The office is directed to recall all the processes issued if any and deposit the case record in the record room as per provisions.

(Vishwa Vibhuti Gupta)

District & Additional Sessions Judge-1st-cum-  
Special Judge (SC/ST, NDPS & Children Act)  
Aurangabad, Bihar  
Dated: 23.03.2026

***Today, on dated 23.03.2026, this judgment is pronounced in open Court. The judgment is dictated, corrected, signed by me. The same is sealed and attached with the case record.***

(Vishwa Vibhuti Gupta)

District & Additional Sessions Judge-1st-cum-  
Special Judge (SC/ST, NDPS & Children Act)  
Aurangabad, Bihar  
Dated: 23.03.2026