

witness has described the entire incident in threadbare manner. He proved the place, time, manner, and the genesis of the incident by remaining unimpeached throughout his cross-examination. This witness has reiterated the motive, being the land dispute between the families of the informant, and the accused persons. This witness, being injured witness, and also being informant, appear to be the most reliable person in this case.

12. **PW-6 is Ganesh Singh.** This witness was examined in this court on 10.08.2017. As per him, the incident was caused quarter to seven (7) years at 09:00 AM, when this witness was going to his field with a labour, and when he reached to the field, then he found Manish Singh, Babloo Singh, Choru Singh, and Mukund Singh. As per this witness, Babloo Singh fired gunshots from his pistol, and assaulted Mukund Singh on his head by butt of the pistol, because of which, he received bleeding injuries. As per this witness, Kamleshwari Singh has exhorted to kill Mukund, thereafter, Choru Singh (Ravishek Singh) fired gunshots at Mukund received injuries on his right shoulder, because of which he fell down on the ground, and bleeding started. This witness was cross-examined on behalf of the accused person. As per this witness, in his cross-examination at para no-9, he reiterated that he has seen the gunshot being fired from two steps away. As per this witness, in para no-11, he has seen Mukund receiving hurt on his head. As per this witness, Mukund fell down on the ground after getting the gunshot, thereafter all the accused persons had fled away.

From the perusal of the records, it appears that this witness is the eye-witness to the incident. Even, the name of this witness has been given in the FIR. This witness has proved the place of occurrence, the time of occurrence, and the manner of occurrence. As this witness is an independent witness, hence, his depositions acquire higher evidentiary value as per law.

13. **PW-7 is Dr. Shashi Bhushan Prasad Singh.** This witness was examined in this court on 07.04.2018. As per this witness, he examined the victim Mukund Kumar Singh, and found two (2) injuries. The injuries are (i) a wound 2"x1" width everted margin and bleeding with posterial on deep; and



B 2
03/07/2026

(ii) a wound 1 (1/2)"X1" front of chest would with bleeding with everted margin. This doctor has prepared the injury report, and put his signature over it. The injury report was exhibited as **Ext-3**.

As per this doctor, the injuries were caused by firearms, and were found grievous in nature. This doctor was cross-examined at the behest of the cross-examination, and in his cross-examination, this witness has admitted that he did not find bullet inside the body of the injured, however, he stated that the injury was caused from behind by the firearm. This doctor proves that the injured-Mukund received firearm injuries on his right shoulder, and the injury was found grievous in nature. Therefore, the medical evidence corresponds with the ocular evidence.

14. **PW-8 is Sanjay Kumar.** This witness was examined in this court on 21.10.2018. This witness has become hostile.

15. **PW-9 is Aniruddh Singh.** This witness was examined in this court on 25.07.2022. This witness has become hostile.

16. **PW-10 is Ram Sakal Das.** This witness was examined in this court on 11.05.2023. He is the investigating officer of this case. As per him, after taking charge of investigation, he recorded the restatements of the informant (PW-5), and visited the place of occurrence, and recorded the statements of other witnesses, namely, Ram Subhag Singh (PW-1), Ghanshyam Singh (PW-2), Baliram Kumar Singh (PW-3), and Ganesh Singh (PW-6), thereafter, he received the observations of the senior police officer, and arrested the accused-Ravishek Kumar Singh, and took him into judicial custody. Then, this witness has received the injury report, maintained the case diary, and on the instruction of his senior, he submitted the charge-sheet bearing no-09/2011 dated 27.02.2011, u/ss-307 r/w 34, and 27 of Arms Act. As per this witness, the formal FIR is in his handwriting and signature. The formal FIR was exhibited as **Ext-4**, and the signature of this witness on the formal FIR is exhibited as **Ext-4/1**. Thereafter, this witness has made endorsements on the written information, which is exhibited as **Ext-4/2**. This witness has



B 2
03/07/2026

further exhibited as charge-sheet as **Ext-4/3**.

This witness was cross-examined on behalf of the accused persons. In his cross-examination, this witness has reiterated the soundness of his investigation, he denied the suggestion on behalf of the accused person. From the perusal of depositions of this witness, it appears that this witness has proved the formal aspect of investigation.

DOCUMENTARY EVIDENCE PRODUCED BY THE PROSECUTION

17. In order to prove the prosecution story, the prosecution has got the following documentary evidences led:-

Sl.No.	Exhibit Number	Description
1.	Ext.-1	The fardbeyan
2.	Ext-1/1	The signature of PW-2 (Ghanshyam Singh) on the fardbeyan.
	Ext-1/2	The signature of the informant (PW-5) on the fardbeyan.
	Ext-3	Injury report prepared and proved by PW-7-Dr. Shashi Bhushan Pd. Sinha.
5.	Ext-4	Formal FIR
6.	Ext-4/1	The signature of PW-10-Ram Sakal Das on the formal FIR.
7.	Ext-4/2	Endorsement on fardbeyan in the handwriting of PW-10-Ram Sakal Das.
8.	Ext-4/3	The signature of PW-10-Ram Sakal Das on charge-sheet.

18. Through the above documents, the prosecution has been able to prove that the informant has suffered gunshot injuries at his right shoulder, and the fardbeyan was recorded in the hospital while the informant was being treated.

EVIDENCES LED BY THE DEFENCE

19. It is important to highlight that the defence has not produced any ocular evidence; however, they led the following documentary evidences to rebut the case of the prosecution:-

S.N	Exhibit	Description
1.	Ext-A	Certified copy of charge-sheet bearing no-47/2022 arising out of Nayagaon P.S. Case No-16/2022
2.	Ext-A/1	Certified copy of charge-sheet bearing no-120/2012 arising out of SC/ST P.S. Case No-40/2012
3.	Ext.-A/2	Certified copy of charge-sheet bearing no-30/2018 arising out of Nayagaon P.S. Case No-16/2018
4.	Ext.-A/3	Certified copy of charge-sheet bearing no-62/2019 arising out of Nayagaon P.S. Case No-05/2019
5.	Ext-A/4	Certified copy of charge-sheet bearing no-66/2019 arising out of Nayagaon P.S. Case No-10/2019
6.	Ext-A/5	Certified copy of charge-sheet bearing no-54/2020 arising out of Nayagaon P.S. Case No-45/2020
7.	Ext-X	Certified copy of FIR bearing Nayagaon P.S. Case No-67/2010
8.	Ext-X/1	Certified copy of FIR bearing SC/ST P.S. Case No-40/2012
9.	Ext-X/2	Certified copy of FIR bearing Nayagaon P.S. Case No-16/2018
10.	Ext-X/3	Certified copy of FIR bearing Nayagaon P.S. Case No-05/2019
	Ext-X/4	Certified copy of FIR bearing Nayagaon P.S. Case No-10/2019
	Ext-X/5	Certified copy of FIR bearing Nayagaon P.S. Case No-45/2020
	Ext-X/6	Certified copy of FIR bearing Nayagaon P.S. Case No-16/2022



20. Through, the above documents, the accused has tried to prove that he was falsely implicated in this case due to prior dispute with the informant, and his family members. Through, above documents, though it appears that between the parties, there are several litigations, yet every case has to be adjudged on the basis of its individual merit.

ARGUMENTS OF COUNSELS FOR THE PARTIES

21. On behalf of the accused person, the arguments were advanced by Sri Vijay Maharaj, Ld. Senior Counsel. As per Ld. senior counsel for the accused person, the prosecution case is not proved beyond the reasonable doubts, hence the accused person is entitled to be acquitted. As per Ld. senior counsel for the accused person, there are material contradictions between the ocular evidences of different ocular witnesses. As per Ld. senior counsel, there are material contradictions between the ocular evidence, and medical evidence also. As per Ld. senior counsel, the accused person was

B 2
03/07/2026

falsely implicated, because of the anterior land dispute between them. As per Ld. senior counsel for the accused, since the prosecution story is not proved, the accused person is entitled to be acquitted.

22. Per contra, Sri R.P. Yadav, Ld. Addl.P.P has argued that the case of prosecution has been proved beyond reasonable doubts. As per Ld. Addl. P.P, as many as five (5) eye-witnesses have supported the prosecution case. As per Ld. Addl.P.P, the documentary evidences, and medical evidences fully corroborate the prosecution story. As per Ld. Addl. P.P., it is the quality of the evidence, and not the quantity, which should factor in criminal trial. Ld. P.P has argued that case against the accused person is thoroughly proved, hence he is liable to be convicted.

REASONS FOR THE DECISION

23. The depositions of each witness have been dealt with at the end of each depositions. They are not repeated hereinafter for the sake of brevity; however, they are treated as the integral part of the reasons for the decision.

24. In this case, as many as five (5) witnesses have been cited as the eye-witnesses. Their testimonies remained unimpeachable. PW-1 is the father of the informant-injured. As per PW-1, he was just behind his son, when he was returning home from brinjal orchards. As per the father (PW-1), he has seen the occurrence from his naked eyes. Similarly, PW-2, the brother of the informant-injured, and PW-3, another brother of the informant-injured have claimed that they have seen the occurrence from their naked eyes. PW-5 is the informant-injured himself. PW-6 is an independent witness. The depositions of each of these witnesses have been dealt with in detail in the preceding paragraphs. These witnesses conclusively prove that the accused-Ravishek has fired gunshot upon the Mukund on 24.11.2010 at around 09:00 AM at amla tree, when Mukund was returning home after plucking brinjal from his orchard. In my opinion, in this case, the motive, the genesis, the place of occurrence, the time of occurrence, the manner of the occurrence



B 2
03/07/2026

have been proved beyond reasonable doubts.

25. Through, PW-1, PW-2, PW-3, PW-5, and PW-6, the prosecution has proved beyond the reasonable doubts that while the informant-injured-Mukund was returning home after plucking the brinjal from his vegetable orchard, and when he reached/ at /the amla tree, then the accused persons, namely, *Ravishek (accused under the trial)*, Abhishek, Bablu Singh @ Ranjan Kumar, Kamleshwari Singh, Bindu Devi, the wife of Ravishek, the wife of Abhishek, the wife of Ranjan reached there, and encircled this witness. The prosecution also proved beyond reasonable doubts that Bablu Singh @ Ranjan Singh assaulted assaulting him by butt of the pistol. Further, the prosecution has also proved beyond reasonable doubts that, Abhishek caught hold of the waist of this witness. Further, the prosecution has also proved beyond reasonable doubts that, Kamleshwari Singh extorted Ravishek to kill the informant, then, *Ravishek (accused under the trial)* with his country-made pistol with the common intention to cause death has fired a gunshot, which hit the right shoulder of the informant. As per above eye-witnesses, thereafter, the brothers, namely, Ganesh and Ghanshyam, and the father-Ram Subhag Singh came at the place of incident. As per the eye-witnesses, between his family, and the family of the accused, there are land disputes. As per them, the injured was treated in the hospital of Dr. Shashi Bhushan Sharma. The witnesses, including PW-10, have proved that the fardbeyan was recorded in the clinic of Dr. Shashi Bhushan Sharma.

26. From the deep perusal of the records, it becomes abundantly clear that the victim-Mukund Kumar Singh has suffered the firearm injuries at the hand of the accused-Ravishek Kumar Singh. As per doctor (PW-7), the injuries were opined to be grievous in nature. It is clear that the injuries were received at arm and chest area from the gunshots. Firing the gunshot at the shoulder from the point blank area indicates the intention of the accused to cause death.

27. Since, the prosecution has been able to prove beyond all the



B2
03/07/26

reasonable doubts the charges u/s-307 of I.P.C against the accused-Ravishek Kumar Singh, hence, I hereby convict the accused-Ravishek Kumar Singh u/s-307 of I.P.C. As the prosecution has not mustered enough evidence to prove the charges u/s-27 of Arms Act, 1959 against this accused, hence, I hereby acquit the accused-Ravishek Kumar Singh of the charges u/s-27(2) of Arms Act, 1959.

28. Since, the accused is being convicted u/s-307 of I.P.C; and he has been enlarged on bail, his bail bonds are hereby forfeited. The accused-Ravishek Kumar Singh is directed to be taken into judicial custody. Let him be produced on 07.07.2026 for hearing on the point of sentence.

29. This Judgment is being pronounced in open court on 03.07.2026 at 04:00 P.M.

Dictated and Corrected by me

Pronounced in Open Court by me

B.S.2
03/07/2026

B.S.2
03/07/2026

(Brajesh Kumar Singh)
District and Addl. Sessions Judge-II,
Begusarai
Dated-03.07.2026

(Brajesh Kumar Singh)
District and Addl. Sessions Judge-II,
Begusarai
Dated-03.07.2026



Hearing on the point of SentenceOrder07.07.2026 AT 04:30 PM

Present: Ravishek Kumar Singh-convict in person

Sri R.P Yadav, Ld. Addl. P.P. for the State.

Sri Vijay Maharaj, Ld. Senior Counsel for the convict.

Sri Ram Singh, Ld. Senior Counsel for the informant.

- 1) Vide judgment dated-03.07.2026, the convict-Ravishek Kumar Singh was convicted under Sections 307 of I.P.C. The convict is produced today for hearing on the point of sentence.
- 2) Sri Ram Prakash Yadav, Ld. Addl. P.P has submitted that since the convict has committed firearm injuries, his intention was to commit death of the injured-Mukund, therefore, he deserves to be given the maximum punishment prescribed under the law. Ld. Addl. P.P has further submitted that the convict has been found guilty u/s-307 of I.P.C, if leniency be shown, then it would leave a wrong message among the potential criminals, therefore, the convict must be given the maximum punishment under the law. In this case, the Ld. counsel for the informant, namely, Sri Ram Singh, Ld. Senior Counsel has also appeared, and has made his submissions. Ld. Counsel for the informant has submitted that the injured-Mukund Kumar has received gunshots injuries, and because of the injury, he has not been able to work properly, thereafter, therefore, the victim-Mukund Kumar Singh should be adequately compensated.
- 3) Per contra, Sri Vijay Maharaj, Ld. Senior Counsel has submitted that the offence was committed in 2010; and now it is 2026. As per Ld. senior counsel, sixteen (16) years are passed since then; and now the convict is a reputed businessman of tiles in Patna, he has family to keep, his son is a student of class-VII, therefore, leniency should be adopted while awarding the sentence.
- 4) Having seen the entire records, and having pondered over the sociological, and other aspects, and weighing the balance between the societal interests, and individual interest of the accused and informant, also having looked into all the relevant aggravating and mitigating circumstances, I think that the justice would be served if the convict-Ravishek Kumar Singh is sentenced to:-



"Four (4) years R.I with the fine of Rs. 5,000/- (five thousands), and in default of payment of fine, six (6) additional months of R.I for the conviction u/s-307 of I.P.C".

- 5) The jail superintendent is directed to calculate the period which the convict has already suffered as the under-trial prisoners by virtue of Section 428 of the Cr.P.C.
- 6) In his case, the injured-Mukund Kumar Singh has suffered firearm injury at the hands of the convict. This injured comes under the definition of section 2(wa) of the Cr.P.C. Needless to say, it is the duty of the state to compensate the victim with adequate compensations to be funded from the Victim Compensation Fund of the State of Bihar. Let the copy of this judgment of conviction with the copy of the order be sent to the D.L.S.A., Begusarai for taking appropriate steps by awarding compensation to the aforesaid victim as immediately as possible. Ld. Addl.P.P is requested to help the aforesaid victim in realizing the compensation from the D.L.S.A., Begusarai.
- 7) Let the copy of this judgment and sentence given to the convicts free of cost immediately.
- 8) This sentence is being pronounced in open court on 07.07.2026 at 04:30 P.M.

Dictated and Corrected by me

Pronounced in Open Court by me

(Brajesh Kumar Singh)
 District and Addl. Sessions Judge-II,
 Begusarai
 Dated-07.07.2026

(Brajesh Kumar Singh)
 District and Addl. Sessions Judge-II,
 Begusarai
 Dated-07.07.2026



In the court of Addl. Sessions Judge-II, Begusarai.
Presiding Judge: Brajesh Kumar Singh
S.T. No.-708/20111

Order

07.07.2026

1. The convict-Ravishek Kumar Singh is produced in the court from the judicial custody for hearing on the point of sentence. Record is put up for pronouncing the sentence. Perused the case record.
2. On call, the Ld. Counsels to the both sides appeared. The convict-Ravishek Kumar Singh is sentenced to four (4) years R.I with the fine of Rs. 5,000/-, and in default of payment of fine, six (6) additional months for R.I for the conviction u/s-307 of I.P.C.
3. The convict-Ravishek Kumar Singh is hereby sent to the judicial custody for suffering the sentence as aforesaid.

B-2
07/07/2026

(Brajesh Kumar Singh)
Addl. Sessions Judge-II, Begusarai.
07.07.2026

