

**FORM – A**

|                                                                                                                                                                                                                                                                                       |                                                                                         |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| <b>In the Court of Principal Sessions Judge, Begusarai.</b><br>Present– Rishi Kant<br>Date of Judgment-03.06.2026<br><b>S.T. Case No. 136 of 2023, C.I.S. No.-136 of 2023</b><br>(Details of FIR/Crime and Police Station)<br><b><u>Barauni (Refinery) P.S. Case No. 186/2019</u></b> |                                                                                         |
| Informant                                                                                                                                                                                                                                                                             | Ishrat Khatoon                                                                          |
| Represented by                                                                                                                                                                                                                                                                        | Sri Santosh Kumar, I/c P.P.                                                             |
| Accused persons                                                                                                                                                                                                                                                                       | Tarannum Ara, Md. Saddam, Md. Aiyub, Md. Nayeemuddin, Samina Khatoon, & Monija Khatoon. |
| Represented by                                                                                                                                                                                                                                                                        | Sri Manoj Kumar, & Israrul Haque, Ld. Advocates.                                        |

**FORM – B**

|                                    |            |
|------------------------------------|------------|
| Date of offence                    | 01.05.2019 |
| Date of First Information Report   | 02.05.2019 |
| Date of Charge-Sheet               | 14.09.2019 |
| Date of Framing of Charge          | 04.05.2023 |
| Date of Commencement of Evidence   | 06.06.2023 |
| Date on which Judgment is reserved | 01.06.2026 |
| Date of Judgment                   | 03.06.2026 |
| Date of sentencing Order, if any   | N.A.       |

**Accused Persons Details**

| Rank of Accused | Name of Accused                                                                          | Date of Arrest | Offence charged with                                             | Whether Acquitted or convicted | Sentence Imposed | Period of Detention undergone during Trial for purpose of Section 468 of B.N.S.S. |
|-----------------|------------------------------------------------------------------------------------------|----------------|------------------------------------------------------------------|--------------------------------|------------------|-----------------------------------------------------------------------------------|
| A1              | Tarannum Ara, W/o Md. Nayeemuddin, R/o vill. Noorpur, P.S. Barauni, Distt. Begusarai     |                | U/s- 308/149,323/149,147,148,341/149,504/149,506/149 of IPC.     | Acquitted                      | N.A.             |                                                                                   |
| A2              | Md. Saddam, S/o Md. Jamiluddin, R/o vill. Noorpur, P.S. Barauni, Distt. Begusarai        |                | U/s- 308/149,323/149,147,148,341/149,504/149,506/149 of IPC.     | Acquitted                      | N.A.             |                                                                                   |
| A3              | Md. Aiyub, S/o Md. Kaiyum, R/o vill. Noorpur, P.S. Barauni, Distt. Begusarai             |                | U/s- 308/149,323/149,147,148,341/149,504/149,506/149 of IPC.     | Acquitted                      | N.A.             |                                                                                   |
| A4              | Md. Nayeemuddin, S/o Md. Safiqueuddin, R/o vill. Noorpur, P.S. Barauni, Distt. Begusarai |                | U/s- 308/149,323/149,147,148,341/149,504/149,506/149,379 of IPC. | Acquitted                      | N.A.             |                                                                                   |
| A5              | Samina Khatoon, W/o Md. Jasim, R/o                                                       |                | U/s- 308/149,323/149,147,1                                       | Acquitted                      | N.A.             |                                                                                   |

In the Court of Principal Sessions Judge, Begusarai  
Present– Rishi Kant  
S.Tr. Case No.-136 of 2023, C.I.S. No.-136 of 2023  
State of Bihar Vrs. Tarannum Ara & Ors.  
Date of Judgment-03.06.2026

|    |                                                                                           |  |                                                              |           |      |  |
|----|-------------------------------------------------------------------------------------------|--|--------------------------------------------------------------|-----------|------|--|
|    | vill. Noorpur, P.S. Barauni, Distt. Begusarai                                             |  | 48,341/149,504/149,506/149 of IPC.                           |           |      |  |
| A6 | Monija Khatoon, W/o Md. Mujibur Rahman, R/o vill. Noorpur, P.S. Barauni, Distt. Begusarai |  | U/s- 308/149,323/149,147,148,341/149,504/149,506/149 of IPC. | Acquitted | N.A. |  |

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

1. The accused persons namely, Tarannum Ara, Md. Saddam, Md. Aiyub, Samina Khatoon, & Monija Khatoon stand charge for committing offences punishable under section U/s-308/149,323/149,147,148,341/149,504/149, 506/149, of IPC and the accused namely, Md. Nayeemuddin stands charge for committing offences punishable under Section 308/149,323/149,147,148,341/149,504/149, 506/149, 379 of IPC.

### **CASE OF THE PROSECUTION :-**

2. The prosecution case is based on the written application of the informant namely, Ishrat Khatoon. The case in brief, is that on 01.05.2019 at about 11:30 A.M. Tarannum Ara started abusing her on her house. On raising objection, Md. Saddam, Aiyub, Nayeem Uddin, Monija Khatoon, Samina Khatoon came assaulted her on her head by bricks and iron rod due to which she sustained head injury. Md. Nayeem Uddin snatched gold chain from her neck. Thereafter, this case has been registered.

### **PROCEDURAL HISTORY**

3. On the basis of the written application of the informant namely, Ishrat Khatoon, the police registered Barauni (Refinery O.P.) P.S Case no. 186/2019 dated 02.05.2019 against the accused persons namely, Tarannum Ara, Md. Saddam, Md. Aiyub, Md. Nayeemuddin, Samina Khatoon, & Monija Khatoon for the offences punishable U/s-147,148,341,323,308,379,504,506 of IPC. After investigation, the police had submitted charge sheet no. 484/2019 dated 14.09.2019 before the court of Ld. CJM, Begusarai against the accused persons namely, Tarannum Ara, Md. Saddam, Md. Aiyub, Md. Nayeemuddin, Samina Khatoon, & Monija Khatoon for the offences punishable under Sections 147,148,341,323,308,379,504,506 of IPC.

4. The learned CJM, Begusarai vide order dated 22.01.2020, took cognizance of the offence u/s-147,148,149,341,323,308,504,506 of IPC against the accused persons namely, Tarannum Ara, Md. Saddam, Md. Aiyub, Md. Nayeemuddin, Samina Khatoon, & Monija Khatoon and after complying the section of 207 of Cr.PC., the case was committed to the court of sessions and ultimately this case has been transferred and received in this court for trial and disposal in accordance with law.

### **CHARGE**

5. After the appearance of the accused persons namely, Tarannum Ara, Md. Saddam, Md. Aiyub, Samina Khatoon, Md. Nayeemuddin & Monija Khatoon, and upon hearing the learned Public Prosecutor for the State as well as the learned Advocate for the defence, charges under Sections 308/149,323/149,147,148,341/149, 504/149,506/149 of IPC were framed against the accused persons namely, Tarannum Ara, Md. Saddam, Md. Aiyub, Samina Khatoon, & Monija Khatoon and the charge under Sections 308/149,323/149,147,148,341/149, 504/149,506/149,379 of IPC were

framed against the accused namely, Md. Nayeemuddin. The said charges were read over and explained to the accused persons in Hindi on 04.05.2023, to which they pleaded not guilty and claimed to be tried. The defence of the accused persons is one of simple denial of the allegations and a plea of false implication.

6. After completion of the prosecution evidence, statement of accused persons under sec. 351 of B.N.S.S. was recorded on 06.05.2026 to afford them an opportunity to explain the incriminating circumstances appearing against them in evidence. They denied the allegations and pleaded false implications.

**POINT FOR DETERMINATION**

7. Now, the point for determination by this court is that whether prosecution has been able to prove its case including the charged framed u/s-308/149,323/149,147, 148,341/149,504/149,506/149 of IPC against the accused persons namely, Tarannum Ara, Md. Saddam, Md. Aiyub, Samina Khatoon, & Monija Khatoon, and the charged framed u/s- 308/149,323/149,147, 148,341/149,504/149,506/149,379 of IPC against the accused namely, Md. Nayeemuddin, beyond the shadow of all reasonable doubts or not ?

**EVIDENCE ADDUCED BY THE PARTIES**

8. In order to prove its case, the prosecution has examined altogether five witnesses which are –

| Prosecution Witness No. | Name of witness       | Description        |
|-------------------------|-----------------------|--------------------|
| 1                       | Md. Sakir             | Hostile.           |
| 2                       | Md. Abdul Jabbar      | Hostile.           |
| 3                       | Ishrat Khatoon        | Informant/Injured. |
| 4                       | Nasir Ali @ Nasir Sah | Other witness.     |

9. Apart from oral evidences, prosecution has not adduced any documentary evidences.

10. No oral evidence has been adduced on behalf of the accused in this case to rebut the charge levelled against them by the prosecution.

11. Defence has adduced only one documentary evidence in support of its case which is ---

| Exhibit No. | Description of the Exhibit                                      | Proved by/Attested by |
|-------------|-----------------------------------------------------------------|-----------------------|
| D1          | C.C. of summoning order passed in complaint case no. 1040C/2018 | Petition.             |

**STATEMENT OF WITNESSES**

12. **P.W.1 is Md. Sakir.** In his examination-in-chief, he deposed that he had no knowledge of the occurrence. He stated that the alleged occurrence had taken place about 4–5 years ago, but he did not know between whom the scuffle had taken place. He further stated that his statement had never been recorded by the police. At the request of the prosecution, this witness was declared hostile. He denied the suggestions put to him by the prosecution regarding the statement allegedly made by him before the police.

In his cross-examination, he stated that he was deposing voluntarily before the Court and that he identified the accused persons only because they were his co-villagers.

13. **P.W.2 is Md. Abdul Jabbar.** In his examination-in-chief, he deposed that he

had no knowledge of the occurrence. He further stated that his statement had not been recorded by the police. At the request of the prosecution, this witness was also declared hostile. He denied the suggestions put to him by the prosecution regarding the statement allegedly made by him before the police.

In his cross-examination, he stated that he was deposing voluntarily before the Court and that he identified the accused persons only because they were his co-villagers.

**14. P.W.3 is Ishrat Khatoon**, the informant as well as the injured witness in the present case. In her examination-in-chief, she deposed that the occurrence had taken place in the year 2019 on the 11th day of a month, though she could not recollect the name of the month. At about 10:00 A.M., she was cleaning a drainage channel. At that time, Tarannum Ara told her that she herself would clean the drainage. When she objected, Tarannum Ara broke the drain structure with bricks. Thereafter, Tarannum Ara, Nayeem, Muneja, Samina Khatoon and others assaulted her, as a result of which she sustained injuries on her head. She further stated that accused Nayeem assaulted her with a lathi on her head. At that time, she was alone. She further stated that Nayeemuddin snatched the gold chain from her neck. Thereafter, she was taken for treatment to Sadar Hospital, Begusarai. She further deposed that she had not seen who had assaulted her, as she had become unconscious during the occurrence. She identified accused Md. Saddam and Md. Aiyub, who were present in Court. She also stated that she had put her thumb impression on the application submitted to the police at Sadar Hospital, Begusarai.

In her cross-examination on behalf of accused Md. Aiyub and Md. Saddam, she stated that the dispute had subsequently been compromised.

**15. P.W.4 is Nasir Ali @ Nasir Sah.** In his examination-in-chief, he deposed that the occurrence had taken place on 01.05.2019 at about 11:30 A.M. At the relevant time, he was present at his house. Upon hearing alarm and commotion, he proceeded to the place of occurrence and saw that Tarannum Ara, Muneja Khatoon, Nayeemuddin, Samina Khatoon and others were assaulting Ishrat Khatoon, causing her serious injuries. He further stated that Nayeemuddin assaulted the informant on her head with an iron rod, resulting in a head injury. He further stated that the injured was taken to Sadar Hospital, Begusarai for treatment and that the present case had been instituted by Ishrat Khatoon. He identified accused Md. Aiyub and Md. Saddam, who were present in Court, and claimed that he could identify the other accused persons as well. According to him, the occurrence arose out of a land dispute.

In his cross-examination on behalf of accused Md. Aiyub and Md. Saddam, he categorically stated that neither Md. Aiyub nor Md. Saddam had any involvement in the alleged occurrence and that both of them were not present in the village on the date of occurrence. He further stated that he had identified them only because they were his co-villagers.

#### **ARGUMENT BY THE PARTIES**

**16.** The Ld. P.P. I/c have submitted that prosecution has been able to prove that the accused persons had committed the alleged offence. He further submitted that the injured has supported the prosecution case in his examination-in-chief. So, there are

sufficient materials available in the case record against the accused persons, and they deserve to be convicted

17. On the other hand learned counsel appearing on behalf of the accused persons submitted that the prosecution has failed to prove the charges levelled against the accused beyond all reasonable doubt. It was further contended that there is no credible evidence available on record to substantiate the allegations. The learned counsel emphasized that the prosecution has examined only four witness, who did not support the prosecution case during cross-examination. It is further submitted that IO and doctor has not been examined in this case. In such circumstances, it is evident that the prosecution has utterly failed to establish its case. Therefore, it was argued that the accused persons are entitled to be acquitted of all the charges framed against them.

#### **DISCUSSION AND APPRECIATION OF EVIDENCE**

18. It is a well-settled principle of criminal jurisprudence that the quality of evidence, and not its quantity, is decisive in establishing a charge. Keeping this principle in view, the evidence adduced by the prosecution has been carefully scrutinized. In the present case, the prosecution has examined four witnesses. Out of them, P.W.-1 Md. Sakir and P.W.-2 Md. Abdul Jabbar were declared hostile by the prosecution as they did not support the prosecution case. Both these witnesses categorically stated that they had no knowledge about the occurrence and that their statements were never recorded by the police. Therefore, their evidence does not advance the prosecution case in any manner.

19. **P.W.-3 Ishrat Khatoon** is the informant as well as the injured witness of the case. In her examination-in-chief, she stated that Tarannum Ara, Nayeem, Muneja, Samina Khatoon and others assaulted her, causing injuries on her head, and that Nayeemuddin snatched her gold chain. However, she further deposed that after sustaining injuries, she became unconscious and, therefore, could not see who had assaulted her. In her cross-examination, she admitted that the matter had already been compromised between the parties. Thus, although she has supported the prosecution case to some extent, her testimony does not inspire full confidence regarding the specific involvement and overt acts of the accused persons.

20. **P.W.-4 Nasir Ali @ Nasir Sah** has been examined as an eyewitness to the occurrence. In his examination-in-chief, he supported the prosecution case and stated that he had seen the accused persons assaulting the informant. However, during his cross-examination on behalf of accused Md. Aiyub and Md. Saddam, he categorically stated that neither of them was involved in the alleged occurrence and that they were not present in the village on the date of occurrence. He further admitted that he identified them only because they were his co-villagers. This part of his evidence goes to the root of the prosecution case and creates a serious doubt regarding the involvement of the aforesaid accused persons.

21. From the evidence discussed above, it appears that P.W.-1 Md. Sakir and P.W.-2 Md. Abdul Jabbar have not supported the prosecution case and were declared hostile. The evidence of P.W.-3, the informant and injured witness, is not wholly reliable inasmuch as she admitted that she became unconscious during the occurrence and could not see who assaulted her. The evidence of P.W.-4 also suffers

In the Court of Principal Sessions Judge, Begusarai  
Present– Rishi Kant  
S.Tr. Case No.-136 of 2023, C.I.S. No.-136 of 2023  
State of Bihar Vrs. Tarannum Ara & Ors.  
Date of Judgment-03.06.2026

---

from material contradictions, as while supporting the prosecution case in his examination-in-chief, he exonerated accused Md. Aiyub and Md. Saddam in his cross-examination. Moreover, P.W.-3 has admitted that the matter has been compromised between the parties.

22. Upon an overall appreciation of the oral evidence available on record, this Court finds that the prosecution has not been able to establish the involvement of the accused persons by leading cogent, reliable and trustworthy evidence. The evidence of the material witnesses suffers from contradictions and inconsistencies on material particulars. The testimony of the prosecution witnesses, when read as a whole, does not inspire confidence so as to record a finding of guilt against the accused persons.

23. It is a settled principle of criminal jurisprudence that the burden lies upon the prosecution to prove its case beyond all reasonable doubt and that the accused is entitled to the benefit of every reasonable doubt arising from the evidence on record.

24. In view of the foregoing discussion and findings, this Court is of the considered opinion that the prosecution has failed to prove the charges against the accused persons beyond all reasonable doubt. The evidence of the witnesses is inconsistent and unreliable, and the non-examination of the Investigating Officer has further weakened the case. Accordingly, the prosecution has failed to establish the charges under Sections 308/149, 323/149, 147, 148, 341/149, 504/149 and 506/149 of IPC against the accused persons namely, Tarannum Ara, Md. Saddam, Md. Aiyub, Samina Khatoon, & Monija Khatoon and charges under Sections 308/149, 323/149, 147, 148, 341/149, 504/149, 506/149, 379 of IPC against Md. Nayeemuddin, beyond all reasonable doubt. Hence, all the accused persons namely, Tarannum Ara, Md. Saddam, Md. Aiyub, Md. Nayeemuddin, Samina Khatoon, & Monija Khatoon, are hereby acquitted of the charges levelled against them, by giving them the benefit of doubt.

#### **ORDERED**

The accused persons namely; Tarannum Ara, Md. Saddam, Md. Aiyub, Md. Nayeemuddin, Samina Khatoon, & Monija Khatoon are acquitted from the charges levelled against them u/s- 308/149, 323/149, 147, 148, 341/149, 504/149, 506/149 of IPC, and accused Md. Nayeemuddin is acquitted from the charges levelled against him u/s- 308/149, 323/149, 147, 148, 341/149, 504/149, 506/149, 379 of IPC by giving benefit of doubt. The accused persons are on bail hence, they also discharged from their liability under bail/personal bond and their sureties are also discharged accordingly, except for those furnished u/s 481 of B.N.S.S.

Copy of judgment be also sent to District Magistrate, Begusarai.

File be consigned to record room within Prescribe time.

Announced in open court on 3<sup>rd</sup> of June, 2026.

Dictated, Corrected and Signed by me.

Sd/-  
**(Rishi Kant)**  
Principal Sessions Judge, Begusarai  
03.06.2026

Sd/-  
**(Rishi Kant)**  
Principal Sessions Judge, Begusarai  
03.06.2026

In the Court of Principal Sessions Judge, Begusarai  
Present– Rishi Kant  
S.Tr. Case No.-136 of 2023, C.I.S. No.-136 of 2023  
State of Bihar Vrs. Tarannum Ara & Ors.  
Date of Judgment-03.06.2026

**LIST OF PROSECUTION WITNESSES**

| Prosecution Witness No. | Name of witness       | Description        |
|-------------------------|-----------------------|--------------------|
| 1                       | Md. Sakir             | Hostile.           |
| 2                       | Md. Abdul Jabbar      | Hostile.           |
| 3                       | Ishrat Khatoon        | Informant/Injured. |
| 4                       | Nasir Ali @ Nasir Sah | Other witness.     |

**LIST OF DEFENCE EXHIBIT**

| Exhibit No. | Description of the Exhibit                                      | Proved by/Attested by |
|-------------|-----------------------------------------------------------------|-----------------------|
| D1          | C.C. of summoning order passed in complaint case no. 1040C/2018 | Petition.             |

Sd/-  
**(Rishi Kant)**  
Principle Sessions Judge, Begusarai  
03.06.2026

|                                  |             |
|----------------------------------|-------------|
| Date of Judgment/Order           | 03.06.2026  |
| Date of Reserving Judgment/Order | 01.06.2026  |
| Uploading Date                   | 04.06.2026  |
| Uploaded by                      | Rahul Verma |