

FORM – A

In the Court of Principal Sessions Judge, Begusarai. Present– Rishi Kant Date of Judgment-04.06.2026 S.T. Case No. 877 of 2025, C.I.S. No.-877 of 2025 (Details of FIR/Crime and Police Station) Ballia P.S. Case No. 107/2018	
Informant	Amit Kumar
Represented by	Sri Santosh Kumar, I/c P.P.
Accused persons	Sonu Singh & Monu Singh.
Represented by	Sri Naresh Mohan Singh, Ld. Advocate.

FORM – B

Date of offence	06.05.2018
Date of First Information Report	06.05.2018
Date of Charge-Sheet	30.06.2018
Date of Framing of Charge	02.09.2025
Date of Commencement of Evidence	16.09.2025
Date on which Judgment is reserved	02.06.2026
Date of Judgment	04.06.2026
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	Sonu Singh, S/o Vinod Singh, R/o vill. Bariyarpur, P.S. Ballia, Distt. Begusarai		U/s- 307/34,341/34,323/34, 384/34,504/34 of IPC & 27 of Arms Act.	Acquitted	N.A.	
A2	Monu Singh, S/o Vinod Singh, R/o vill. Bariyarpur, P.S. Ballia, Distt. Begusarai		U/s- 307/34,341/34,323/34, 384/34,504/34 of IPC & 27 of Arms Act.	Acquitted	N.A.	

J U D G E M E N T

1. The accused persons namely, Sonu Singh & Monu Singh stand charge for committing offences punishable under section U/s-307/34,341/34,323/34,384/34, 504/34 of IPC & 27 of Arms Act.

CASE OF THE PROSECUTION :-

2. The prosecution case is based on the written application of the informant namely, Amit Kumar. The case in brief, is that on the same day at about 1 P.M. informant was going to Ballia Bazar from his house. As he reached near State boring, accused persons namely, Sonu Singh, Monu Singh & Vinod Singh alongwith three unknown persons surrounded him and started abusing him. Vinod Singh told him that his son Sonu & Monu demanded rangdari of Rs. Two lakhs from him from several months but he has not paid. So, Vinod Singh ordered to his sons to kill him. On this, Sonu Singh and Monu Singh pointed pistols upon his temporal region from their waist. Then, Monu Singh tried to tie his neck by putting gamcha and dragged towards the orchard. Anyhow he escaped and saved his life. Then, both of them started firing indiscriminately. They threatened him to withdraw the case of Ballia

P.S. case no. 72/2018 registered against him. Thereafter, this case has been registered.

PROCEDURAL HISTORY

3. On the basis of the written application of the informant namely, Amit Kumar, the police registered Ballia P.S Case no. 107/2018 dated 06.05.2018 against the accused persons namely, Sonu Singh, Monu Singh, & Vinod Singh alongwith three unknown for the offences punishable U/s-341,323,504,.384,307 of IPC & 27 of Arms Act. After investigation, the police had submitted charge sheet no. 221/2018 dated 30.06.2018 before the court of Ld. CJM, Begusarai against the accused persons namely, Sonu Singh & Monu Singh for the offences punishable under Sections 341,323,504,384,307 of IPC & 27 of Arms Act and showing the accused Vinod Singh as not sent up.

4. The learned CJM, Begusarai vide order dated 08.10.2018, took cognizance of the offence u/s-341,323,504,384,307/34 of IPC & 27 of Arms Act against the accused persons namely, Sonu Singh, & Monu Singh 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, Sonu Singh, & Monu Singh, and upon hearing the learned Public Prosecutor for the State as well as the learned Advocate for the defence, charges under Sections 307/34,341/34,323/34, 384/34, 504/34 of IPC & 27 of Arms Act were framed against them. The said charges were read over and explained to the accused persons in Hindi on 02.09.2025, 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 25.05.2026 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-307/34,341/34,323/34, 384/34, 504/34 of IPC & 27 of Arms Act against the accused persons namely, Sonu Singh, & Monu Singh, 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	Ramshankar Singh	Hostile.
2	Ganesh Prasad	Hostile.
3	Arvind Singh	Hostile.
4	Prahlad Kumar	Other witness.
5	Amit Kumar	Informant/injured.

9. Apart from oral evidences, prosecution has adduced only one documentary

evidence, which is-----

Exhibit No.	Description of the Exhibit	Proved by/Attested by
1	Signature of informant on written application.	P.W.-5

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

STATEMENT OF WITNESSES

11. P.W.1 is Ramshankar Singh. In his examination-in-chief, he stated that he had no knowledge about the occurrence and that his statement was never recorded by the police. Upon 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 had deposed voluntarily before the Court. He further stated that he identified the accused persons as they are his co-villagers.

12. P.W.2 is Ganesh Prasad. In his examination-in-chief, he stated that he had no knowledge about the occurrence and that his statement was not recorded by the police. Upon 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 had deposed voluntarily before the Court.

13. P.W.3 is Arvind Singh. In his examination-in-chief, he stated that he had no knowledge about the occurrence and that his statement was not recorded by the police. Upon 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 had deposed voluntarily before the Court.

14. P.W.4 is Prahlad Kumar. In his examination-in-chief, he stated that on 06.05.2018, accused persons namely Monu Singh and Sonu Singh demanded rangdari from the informant, Amit Kumar, and fired upon him. However, he further stated that he had not witnessed the said occurrence. He also stated that the present case was instituted by informant Amit Kumar against Sonu Singh, Monu Singh, and Vinod Singh. He identified accused Sonu Singh and Monu Singh, who were present in the Court.

In his cross-examination, he stated that he had deposed voluntarily before the Court. He further stated that he identified the accused persons as they are his co-villagers.

15. P.W.5 is Amit Kumar, the informant as well as the injured witness of the case. In his examination-in-chief, he stated that he is the informant of the present case. He deposed that the occurrence had taken place about eight years ago at about 1:00 P.M. While he was proceeding from his house towards Ballia, and upon reaching near the State Tubewell, he saw a white-coloured Bolero vehicle parked there. According to him, accused persons Sonu Singh, Monu Singh, Vinod Singh,

and three other persons were present in the said vehicle. He further stated that the accused persons questioned him as to why he had not paid the demanded rangdari amount and thereafter fired upon him; however, the bullet did not hit him. He further stated that the accused persons had demanded Rs. 2,00,000/- from him. He further deposed that he had earlier instituted a case against the accused persons. He identified accused Sonu Singh and Monu Singh, who were present in the Court, and stated that they had fired upon him. He further stated that he did not remember the name of the person who had scribed the written application. According to him, the contents of the written application were read over to him, whereafter he put his signature thereon. The written application was marked as **Exhibit-P.E.1/P.W.5**.

In his cross-examination, he stated that he had compromised the case. He further stated that he had named the accused persons at the instance of others. He also stated that the written application was not read over to him before obtaining his signature. He further admitted that the persons who had committed the alleged offence had covered their faces and, therefore, he could not identify them.

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 five witness, who did not support the prosecution case during cross-examination. It is further submitted that IO 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 prosecution is required to prove its case beyond all reasonable doubt and that it is the quality of evidence, and not the quantity of witnesses, which is determinative of the guilt of an accused. Keeping the aforesaid principle in mind, the oral and documentary evidence adduced by the prosecution has been carefully scrutinized. In the present case, the prosecution has examined five witnesses. Out of them, P.W.1 Ramshankar Singh, P.W.2 Ganesh Prasad and P.W.3 Arvind Singh did not support the prosecution case at all and were declared hostile. All these witnesses categorically stated that they had no knowledge regarding the occurrence and denied having made any incriminating statement before the police.

19. **P.W.4 Prahlad Kumar** also failed to provide any direct evidence regarding the occurrence. Although he stated that accused persons had demanded rangdari from the informant and had fired upon him, he categorically admitted that he had not

witnessed the occurrence. His evidence is therefore hearsay in nature and cannot be treated as substantive evidence for establishing the guilt of the accused persons. The prosecution mainly rests upon the testimony of P.W.5 Amit Kumar, who is the informant as well as the alleged injured witness. In his examination-in-chief, he supported the prosecution story and identified the accused persons. However, during his cross-examination, he made several admissions which strike at the root of the prosecution case. He admitted that he had compromised the matter. He further stated that he had taken the names of the accused persons at the instance of others. More importantly, he admitted that the persons who committed the alleged offence had covered their faces and, therefore, he could not identify them. Such admissions create serious doubt regarding the identity of the assailants and substantially weaken the evidentiary value of his testimony. The Court further finds that the prosecution has failed to examine the Investigating Officer. The non-examination of the Investigating Officer assumes significance in the facts of the present case. In the absence of his testimony, the defence has been deprived of an effective opportunity to prove contradictions and omissions in the statements of prosecution witnesses recorded during investigation and to challenge the manner and fairness of investigation. The prejudice caused to the defence on this account cannot be overlooked. Another significant circumstance is that the informant himself has admitted in his cross-examination that the dispute has been compromised between the parties. Though compromise by itself may not absolve an accused of criminal liability in serious offences, such admission becomes relevant while assessing the credibility and reliability of the prosecution evidence, particularly when the prosecution case otherwise suffers from serious infirmities.

20. Thus, upon a cumulative assessment of the entire evidence on record, this Court finds that P.W.1, P.W.2 and P.W.3 have not supported the prosecution case; P.W.4 is not an eyewitness to the occurrence; and the testimony of P.W.5 suffers from material inconsistencies and admissions regarding the identity of the accused persons. The prosecution has further failed to examine the Investigating Officer, thereby leaving important links in the chain of evidence unproved. In view of the aforesaid discussions, this Court is of the considered opinion that the prosecution has failed to establish the identity and involvement of the accused persons beyond reasonable doubt. The evidence available on record falls short of the standard required for recording a conviction. The benefit of such doubt must necessarily go to the accused.

21. 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 307/34, 341/34, 323/34, 384/34, 504/34 of IPC & 27 of Arms Act against the accused persons namely, Sonu Singh & Monu Singh beyond all reasonable doubt. Hence, all the accused persons namely, Sonu Singh & Monu Singh, are hereby acquitted of the charges levelled against them, by giving them the benefit of doubt.

In the Court of Principal Sessions Judge, Begusarai
Present– Rishi Kant
S.Tr. Case No.-877 of 2025, C.I.S. No.-877 of 2025
State of Bihar Vrs. Sonu Singh & Anr.
Date of Judgment-04.06.2026

ORDERED

The accused persons namely; Sonu Singh & Monu Singh are acquitted from the charges levelled against them u/s- 307/34,341/34,323/34,384/34, 504/34 of IPC & 27 of Arms Act 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 4th of June, 2026.
Dictated, Corrected and Signed by me.

Sd/- (Rishi Kant) Principal Sessions Judge, Begusarai 04.06.2026	Sd/- (Rishi Kant) Principal Sessions Judge, Begusarai 04.06.2026
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LIST OF PROSECUTION WITNESSES

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1	Ramshankar Singh	Hostile.
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4	Prahlad Kumar	Other witness.
5	Amit Kumar	Informant/injured.

LIST OF PROSECUTION EXHIBITS

Exhibit No.	Description of the Exhibit	Proved by/Attested by
1	Signature of informant on written application.	P.W.-5

Sd/-
(Rishi Kant)
Principle Sessions Judge, Begusarai
04.06.2026

Date of Judgment / Order	04.06.2026
Date of Reserving Judgment / Order	02.06.2026
Uploading Date	05.06.2026
Uploaded by	Rahul Verma