

FORM A IN THE COURT OF JUDICIAL MAGISTRATE (1ST CLASS) 7th COURT, BANKURA SADAR Present : NAUSIN ANJUM, (WB01383) ON THIS DAY OF 21st DAY of JULY, 2026 <i>(Details of FIR/Crime and Police Station)</i>		
COMPLAINANT	STATE OF WEST BENGAL (DE-FACTO – ASTAMI SENGUPTA)	
REPRESENTED BY	SHRI JOYDEB MUKHERJEE, LD. A.P.P.	
ACCUSED	A1. A2.	Nipen Bouri Mandira Bouri
REPRESENTED BY	SHRI SOMNATH ROY CHOWDHARY, LD. ADVOCATE	

FORM B	
Date of Offence	10/12/2023
Date of Complainant	Saltora Police Station case no-1093 of 28/11/2023 & GDE - 405,dated10/12/2023
Date of Charge sheet	10/12/2.23
Date of Framing of Charge/plea	08/10/2024
Date of commencement of Evidence	16/07/2026
Date on which Judgment is reserved	N.A.
Date of the Judgment	21/07/2026
Date of the Sentencing Order, if any	N.A.

Accused Details:							
Rank of the Accused	Name of the Accused	Date of arrest	Date of release on Bail	Offences charged with	Whether acquitted or convicted	Sentence imposed	Detention Undergone during Trial (428 Cr. P.C.)
1.	Nipen Bauri	N.A.	N.A.	U/S 323 of IPC	ACQUITTED	N.A.	N.A.
2.	MandiraBauri	N.A.	N.A.	U/S 323/of IPC	ACQUITTED	N.A.	N.A.

FORM C LIST OF PROSECUTION/DEFENCE/COURT WITNESSES		
A. Prosecution :		
RANK	NAME	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
PW1	Lata@Latika Bauri	COMPLAINANT
PW2	Mallika Bauri	OTHER WITNESS

B. Defence witness, if any :N.A.		
RANK	NAME	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
D.W.		

C. Court Witnesses, if any: N.A.		
RANK	NAME	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)

C.W.		
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LIST OF PROSECUTION/DEFENCE/COURT EXHIBITS

A. Prosecution:

Sl. No.	Prosecution Exhibit number	Description
1.	N.A	

B. Defence : N.A.

Sl. No.	Defence Exhibit number	Description
1.	N.A.	

C. Court Exhibits : N.A.

Sl. No.	Court Exhibit number	Description
1.	N.A.	

D. Material objects : N.A.

Sl. No.	Material Exhibit number	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
1.	N.A.	

JUDGEMENT

The prosecution case, in a nutshell, is that on 28.11.2023 at about 08:00 am the accused persons assaulted the complainant with fist and blow and threaten her with dire consequences regarding a family dispute. For which, she received injuries on her person and are treated at saltora hospital. Thereafter, the complainant filed this case against the accused persons.

After completion of investigation, the concerned I.O. submitted charge-sheet against the accused persons. Hence, this case.

The accused persons were enlarged on bail by the Court of law and the case was transferred to this Court for disposal. Thereafter, charge was framed and evidence was adduced. On closure of prosecution evidence, the accused persons have been examined u/s 313 of Cr.P.C. wherein they pleaded their innocence throughout and preferred not to adduce any defence witnesses.

CHARGE

At the commencement of trial, the substance of charge was read over and explained to the accused persons in Bengali language to which they pleaded not guilty and claimed to be tried.

POINTS FOR DETERMINATION

1. Whether the accused persons have committed the offence as alleged against them ?

2. Whether the prosecution has been able to prove its case beyond all shadows of reasonable doubts ?

DECISION WITH REASONS

Both the points have been taken up together for sake of brevity and undue prolixity and repetition. From the testimony of P.W.1, **Lata @ Latika Bauri**, being the complainant of this case, it appears that she has identified the accused persons on dock and during his cross-examination, he stated that **It is a fact that there is a long-standing dispute between me and the accused persons.**

P.W.-2 namely **Mallika Bauri** being the wife of the de facto complainant stated in her cross-examination that **“I do not know what actually happened between them.”**

So inconsistencies and infirmities like, non corroboration, divergence from the written complaint, non proving the contents of the complaint, non-adducing the evidence of I.O., it cannot be taken into sacrosanct that the prosecution has been able to prove the prosecution case beyond all shadow of reasonable doubts and for that the same cannot be taken into sacrosanct to form the basis of conviction in a criminal trial and for which the accused persons are liable to be adjudged as acquitted.

Hence, it is

ORDERED

that the accused persons namely, **1.Nipen Bauri, and 2. Mandira Bauri** are hereby adjudged as acquitted under section 248(1) of the Code of Criminal Procedure from the accusations under Section **323 of the Indian Penal Code.**

They are released from their respective bail bonds and the sureties concerned are also discharged accordingly as per provision of the Code of Criminal Procedure.

Seized *alamat*, if any, be disposed of in accordance with law after appeal period, if preferred.

Dictated and corrected by me

(Nausin Anjum)
Judicial Magistrate, 7th Court
Bankura Sadar

(Nausin Anjum)
Judicial Magistrate, 7th Court
Bankura Sadar

NGR Case No. 5722/2023

CIS No. 63/2023

TR No. 04/2024

(JO Code-WB 01383)

Order Dated 21/07/2026:-

Today is fixed for examination of the accused persons u/s 313 of Cr. PC.

All accused persons are present before the court.

Ld. APP is present.

The accused persons are examined u/s 313 of Cr. PC. and rendered separate sheets.

Let those be kept with the record.

The record is now taken up for hearing of argument.

Heard augment in full.

The judgment is ready for delivery.

The judgment is delivered in open court.

The operative portion of the judgment is as follows :-

Hence, it is

ORDERED

that the accused persons namely, **1.Nipen Bauri, and 2. Mandira Bauri** are hereby adjudged as acquitted under section 248(1) of the Code of Criminal Procedure from the accusations **under Section 323 of the Indian Penal Code.**

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Page 5 of 5

Judicial Magistrate, 7th Court, Bankura Sadar