

Session Trial No. - 596 of 2015

FORM A

IN THE COURT OF ADDITIONAL SESSIONS JUDGE-I
DISTRICT:-BHAGALPUR

Present : Raj Narayan Nigam
Additional Sessions Judge-I

Date of Judgment:- 10.08.2026

Session Trial No. - 596 of 2015

(Arising out of Jagdishpur P.S. Case No. 130/2014)

U/s 376/511, 341/34, 323, 324, 504 of IPC.

Complainant/Informant State of Bihar (through informant **Veena Kumari**)

Represented by
Mr. A.K Yadav, Ld. Additional P.P.

Accused persons	1. Kisto Mandal , age 43 years, S/o Bongi Mandal 2. Hore Lal Mandal , age 43 years, S/o Late Ramdhani Mandal
Represented by	Mr. Shaligram Singh, Ld. Advocate

FORM B

Date of offence	29.03.2014
Date of F.I.R.	01.06.2014
Date of Charge-sheet	30.07.2014
Date of framing charges	01.02.2016
Date of commencement of evidence	08.04.2016
Date on which judgment is reserved	06.08.2026
Date of the Judgment	10.08.2026



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Accused Details

Rank of the accused	Name of the accused	Date of arrest	Date of release on bail	Offence charged with	Whether acquitted or convicted	Sentence imposed	Period of detention undergone during trial for purpose of section 428 Cr.P.C.
1.	Kisto Mandal	-	-	U/s 376/511, 341/34, 323, 324, 504 of IPC	Acquitted		
2.	Hore Lal Mandal			"	"		

LIST OF PROSECUTION/DEFENCE/COURT WITNESSES

A. PROSECUTION WITNESSES

RANK	NAME	NATURE OF EVIDENCE
PW-1	Chulhiya Devi	Hostile Witness
PW-2	Veena Devi	Informant

B. Defence Witnesses, if any:

RANK	NAME	NATURE OF EVIDENCE
-	-	-

C. Court Witnesses, if any:

RANK	NAME	NATURE OF EVIDENCE
-	-	-

LIST OF PROSECUTION/DEFENCE EXHIBITS

A. Prosecution

Sr. No.	Exhibit Number	Description
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1.	Ext.-P-1/PW-2	Signature of Complainant on complain petition
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B. Defence

Sr. No.	Exhibit Number	Description
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C. Court Exhibits

Sr. No.	Exhibit Number	Description
-	No	-

D. MATERIAL OBJECTS.

Sr. No.	Material Object Number	Description
-	-	-

J U D G M E N T

1. The above named accused persons stands charged for having committed offence punishable U/s 376/511, 341/34, 323, 324, 504 of IPC.
2. Prosecution case, as per complaint of the complainant, in brief, is that on 29.03.2014 at about 10:00 a.m. accused Kisto Mandal came at her home and stated that Kaaki is calling her for collected leaves and on the faith of his uncle Kisto Mandal, she went with Kisto Mandal and accused Hore Lal Mandal was already present in the garden. Thereafter, both accused-persons have taken her in the garden with bad intention by closing her mouth and started disrobing her modesty. On objection, they assaulted her and Kisto Mandal has bite her hand. On noise, both accused-persons fled away from there. Thereafter, she went to police station for lodging the case but police did not lodge her case. Hence, this complain case is lodged.
3. After investigation the charge-sheet was submitted U/s 341, 323, 504, 324, 376, 511, 34 IPC against the aforesaid accused-persons on 30.07.2024 and on the basis of charge sheet, cognizance was taken against the accused persons. And after compliance of the provision of Section 207 Cr. P.C., the case was committed to the Court of Sessions by Ld. C.J.M, Bhagalpur and accordingly, Sessions Trial No. 596/2015 was registered and this case was transferred lastly in this Court on dated 29.06.2026 for disposal as accordance with law.



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4. The charges were framed against the aforesaid accused persons for the offence punishable U/s 376/511, 341/34, 323, 324, 504 of IPC. The charges were read over and explained the same to the accused persons in Hindi Version to which they have pleaded not guilty and claimed to be tried.

5. The statements of the accused persons under Section 313 of the Cr.P.C. were recorded on dated 01.06.2026 with the defence of innocence and false implication and also total denial of the prosecution case.

6. Now the point for determination in this case is that whether the prosecution has been able to prove the charges leveled against accused persons beyond shadow of all reasonable doubt ?

FINDING

7. In order to substantiate the charges leveled against accused persons altogether two witnesses have been examined on behalf of the prosecution. These are following:-

PW-1 Chulhiya Devi , PW-2 Veena Devi.

8. It is evident that during the trial on behalf of the defence no any oral as well as documentary evidence has been adduced on the record.

9. I shall now, reproduce the relevant evidence on record of the witnesses, to see whether they have been able to bring home the guilt of the accused persons with respect to the offence with which they are charged with.

10. **PW-1 is Chulhiya Devi.** This witness has deposed in her examination-in-chief that this case has been lodged by Veena Devi and Veena Devi is her daughter and she identified the accused persons who stand in dock and she does not know anything about the incident. Prosecution did not bring any material from this witness because she **turned hostile**.

11. **PW-2 is Veena Devi.** This witness has deposed in her examination-in-chief that she has lodged this case and occurrence took place 11-12 years ago and she identified her signature on complain petition which is marked as



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Ext.-P-1/PW-2 and case was lodged against Hero Mandal and Kisto Mandal and some scuffle took place, so she lodged this case and she identified both the accused who stand in dock.

During her cross-examination, she stated that she has no remember anything about the incident because occurrence took place many years ago and neither both accused-persons have assaulted her nor committing disrobe the modesty with her and she has no any complaint against both accused-persons and she has only made her signature on complain petition but she does not know about the content of complain petition and both accused-persons are her neighbourers, so she identified them. Further, she has deposed that matter has been compromised between them without any pressure and with her sweet will and she does not want to proceed with this case.

12. On behalf of defence no any oral as well as documentary evidence has been adduced.

13. I have heard the both sides, **Ld. Counsel for the defence has submitted that** there is no any incriminating evidence or materials available on the record against the accused persons. PW-1 is hostile witness and PW-2 is informant of this case but she not stated anything against the accused-persons and she has stated that matter has been compromised between them. In such circumstances, the accused persons are liable to be acquitted.

14. **On the other hand, Ld. Additional Public Prosecutor for the State** has argued that the prosecution has well proved its case against the accused persons. It has further been argued that there are sufficient materials are available on record against the accused-persons and there are two witnesses have examined in this case and PW-2 (informant) has proved her signature on complaint petition. Hence, accused persons are liable to be convicted for the said charges.

15. I have given due consideration to the contentions raised by both the parties and also gone through the entire depositions of the prosecution witnesses and meticulously scrutinized their statements. I find that total two prosecution witnesses PW-1 and PW-2 of this case have got examined on behalf of the prosecution. This case is registered on the basis of complain petition of the complainant. PW-1 is hostile witness. PW-2 is the informant of this case and she



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has deposed in her deposition that she has no remember anything about the incident because occurrence took place many years ago and neither both accused-persons have assaulted her nor committing disrobe the modesty with her and she has no any complaint against both accused-persons and she has only made her signature on complain petition but she does not know about the content of complain petition and both accused-persons are her neighbourers, so she identified them. Further, she has deposed that matter has been compromised between them without any pressure and with her sweet will and she does not want to proceed with this case. Therefore, I find there is no any cogent material are available on the record against the accused persons. Hence, I find that on the basis of prosecution evidence available on the record, accused persons cannot be convicted and no offence against the accused persons is made out and accused persons are liable to get the benefit of reasonable doubt and they deserves clean acquittal. Considering the facts and circumstances and the evidences available on the record of this case, I come to the conclusion that the charges framed U/s 376/511, 341/34, 323, 324, 504 of IPC against the accused persons have not been stand prove beyond shadow of all reasonable doubt. I, therefore, find and hold that accused persons namely **Kisto Mandal & Hore Lal Mandal** are **acquitted** for the charges **U/s 376/511, 341/34, 323, 324, 504 of IPC** Accused parsons are on bail. Accordingly, they and their sureties are discharged from all the liabilities of their respective bail bonds. The office is directed to deposit the record in the D.R.R. Bhagalpur.

16. Judgment is delivered in the open Court under my signature and seal on this 10th August, 2026 at Bhagalpur.

Dictated and corrected by me.

(Raj Narayan Nigam)
Additional Sessions Judge-I
Bhagalpur,
Dated : 10.08.2026

(Raj Narayan Nigam)
Additional Sessions Judge-I
Bhagalpur,
Dated : 10.08.2026

Date of Judgment / Order	10.08.2026
Date of Reserving Judgment / Order	06.08.2026
Uploading Date	19.08.2026.
Uploaded by	Smt. Neelam Kumari D-EO