

IN THE COURT OF SPECIAL JUDGE, EXCLUSIVE SPECIAL COURT [SC/ST ACT]

Civil Court, Bhagalpur, Bihar

Present: Sri Amit Kumar Singh

Special Case (SC/ST Act) No. 104/2019**CNR BRBG010045702019****The State of Bihar vs. Sallo Yadav**

Sl No.	Date of Order of the proceeding	Order with initials of the Court	Remarks, with action taken by the officer, in any
1	2	3	4

08.06.2026	1. An attendance is filed on behalf of the sole accused Sallo Yadav son of Gajadhar Yadav, resident of Bhakhari, PS Sanokhar, District Bhagalpur, Bihar. The case record is listed today for pronouncement of judgment. 2. Case called out. Sri Kumar Abhay, the learned counsel for the accused appeared along with the accused. Sri Ramesh Chaudhary, the leaned Special Public Prosecutor is present. Both parties have already been heard. 3. Having considered the rival submissions and perused the materials on record, it is evident that the charge in the present case was framed on 20.03.2021 under Sections 341, 323, 325, 504 of the Indian Penal Code, 1860 and Section 3(1)(s), 3(2)(va) of the Scheduled Caste Scheduled Tribe (Prevention of Atrocities) Act, 1989. Thereafter, the matter was fixed for prosecution evidence. Despite repeated adjournments and ample opportunities afforded over a span of more than two years, the prosecution failed to produce any evidence whatsoever – neither ocular nor documentary – in support of the charges. Summons, bailable warrants and non-bailable warrants were issued against the informant and other witnesses and the informant produced before this court on 27.06.2025 after being arrested on the NBW issued and released on personal bond with direction that on the next date he will appear for his examination, however he failed to do so. Ultimately, on 26.11.2025, the prosecution evidence was formally closed. Statement of the accused was recorded under Section 313 of the Code of Criminal Procedure, 1973 wherein he denied any having done anything as alleged in the charges. 4. It is a settled principle of criminal jurisprudence that the burden lies upon the prosecution to establish the guilt of the accused beyond reasonable doubt. In the absence of any evidence, the Court is left with no material to	
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substantiate the charges framed. Mere framing of charge does not *ipso facto* warrant conviction; proof must follow. The failure of the prosecution to adduce even a scintilla of evidence renders the charges unsustainable.

5. Accordingly, this Court holds that the prosecution has miserably failed to discharge its burden. The accused Sallo Yadav cannot be compelled to face penal consequences in the absence of proof. He is entitled to acquittal.
6. In view of the foregoing discussion, the sole accused Sallo Yadav is acquitted of the charges framed under Sections 341, 323, 325, 504 of the IPC and Section 3(1)(s), 3(2)(va) of the SC/ST Act against him.
7. Bail bond of the accused is cancelled. He and his sureties are discharged from their respective liabilities of bail bonds.
8. Let a copy of this judgment be sent to the District Magistrate, Bhagalpur, for information.
9. The case stands disposed of. The office is directed to consign the case record in the record room as per rules.
10. This judgement is typed to my dictation, corrected by me and is pronounced in open Court on this 8th day of June 2026 at Bhagalpur, Bihar.

Dictated

Sd/-

Special Judge
 Exclusive Special Court (SC/ST Act)
 Bhagalpur, Bihar

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Date of Reserving judgment/order	01.06.2026
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