

In the Court of 1st Additional Sessions Judge, Bhojpur at Ara

Present:-

Sri Sailendra Kumar Panda , B.S.J.S.
LL.M.

1st Additional Sessions Judge.
Bhojpur at Ara.

Ara, Dated 19th March, 2026.



BRBJ010092692020

S.C/ S.T. Case No. 283/2020.
(SC ST P.S.Case No. 86/20 dated 26.11.2020)

Complainant.	State of Bihar (Informant – Dhan Bihari Paswan)
REPRESENTED BY	Ld.Sp.P.P.Satyendra Kumar Singh.
Accused no. 1.	Nitish Singh, aged about 27 yrs, S/o Mahendra Singh. Resident of village- Bhelai , P.S.- UdwantNagar, District- Bhojpur.
Accused no. 2.	Rahul Singh, aged about 28 yrs, S/o Late Awdhesh Singh. Resident of village- Bhelai , P.S.- UdwantNagar, District- Bhojpur.
Accused no. 3.	Lavjit Singh, aged about 46 yrs, S/o Late Ram Nivash Singh. Resident of village- Bhelai , P.S.- UdwantNagar, District- Bhojpur.
REPRESENTED BY	Ld.Adv.

FORM B

Date of Offence	26.11.2020.
Date of FIR	26.11.2020.
Date of Charge sheet	26.02.2021.
Date of Framing of Charges	28.11.2023.
Date of commencement of evidence.	23.02.2026., 25.02.2026., 27.02.2026., and 27.02.2026.
Date on which judgment is reserved	No.
Date of the Judgment	19.03.2026.
Date of Sentencing Order, if any	N.A.

Accused details

Rank of the Accused	Name of Accused.	Date of surrender.	Date of Release on Bail	Offences Charged with	Whether Acquitted or convicted	Sentence Imposed	Period of Detention Undergoing during Trial for purpose of section 428Cr.P.C.
1.	Nitish Singh	27/11/2020	5/12/20	341/323/307/504/506 /34 IPC R/W 3(i)(r) (s)/3(2)(va) of (SC/ST (Prevention of Atrocities) Act.	acquitted	N.A.	N.A.
2.	Rahul Singh	27/11/2020	5/12/20	same	acquitted	N.A.	N.A.
3.	Lavjit Singh	27/11/2020	5/12/20	same	acquitted	N.A.	N.A.

PROSECUTION WITNESSES :

RANK	NAME	NATURE OF EVIDENCE
P.W.1	Dhanbihari Paswan	Informant/occurrence witness.
P.W.2	Bhuneshwar Paswan	Occurrence witness.
P.W.3	Narad Paswan	Occurrence witness.
P.W.4	Suman Paswan	Occurrence witness.

B. DEFENCE WITNESSES : No

LIST OF EXHIBITS

Prosecution :

Sr.No	Exhibit Number	Description
1.	Ext.P-1.	Signature of informant on his written application by P.W. 1.

Defence :- No.

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JUDGMENT

1. The accused persons namely (1) Nitish Singh, (2) Rahul Singh and (3) Lavjit Singh stood charged to face for trial of offence punishable U/s. 341/323/307/504/506/34 IPC R/W 3(i)(r)(s)/3(2)(va) of SC&ST (Prevention of Atrocities) Act.

2. The prosecution story in short according to the informant namely Dhanbihari Paswan that, on dated 26.11.2020 at about 09:30 A.M. he was going to ara for duty by motercycle. His co-villager stated him not to go on that gali being a lower caste person. On this he opposed and Logit Singh directed to his sons namely Makhhan Singh, Mithun Singh, Mani Singh to assault him. Accordingly they all assaulted him and used him slang terms. He shouted for help to save his life. Nagbhusan came to protect him but he was assaulted by Mithun Singh. Local co-villagers namely Bhuneshwar Paswan, Suman Paswan and Narad Paswan came but they all physically assaulted by them. Makhhan Singh and Mani Singh assaulted by means of iron rod to Narad Paswan. Three persons namely Nitish, Mahendra, Rahul and Dharmendra all had taken out Rs 60,000 with golden chain from his pocket.

3. On receipt of the aforesaid written report, a police case was registered i.e. SC ST P.S.Case No. 86/20 dated 26.11.2020 of offence U/s. 341/323/324/307/379/504/506/34 IPC R/W 3(i)(r)(s)/3(2)(va) of SC&ST (Prevention of Atrocities) Act. Police caused investigation into the same. Police(I.O.) visited to the spot, recorded the statements of the informant and witnesses. After completing investigation, police submitted charge sheet i.e. vide C.S.No- 06/21 dated 26.02.2021 of offence U/s. 341/323/307/504/506/34 IPC R/W 3(i)(r)(s)/3(2)(va) of SC&ST (Prevention of Atrocities) Act against the accused persons namely (1) Nitish Singh, (2) Rahul Singh and (3) Lavjit Singh finding the fact is true.

4. The learned Court after furnishing relevant copies to the accused person required as per statutory provision, took cognizance of offence U/s. 341/323/307/504/506/34 IPC R/W 3(i)(r)(s)/3(2)(va) of SC&ST (Prevention of Atrocities) Act.

5. Upon consideration of the materials on record as well as relevant documents and after hearing the submissions of the learned counsel of the parties on the point of consideration of charge, finding the ground for presuming that the accused persons namely (1) Nitish Singh, (2) Rahul Singh and (3) Lavjit Singh committed offences U/s. 341/323/307/504/506/34 IPC R/W 3(i)(r)(s)/3(2)(va) of SC&ST (Prevention of Atrocities) Act, framed formal charge against him. Accusation of the said charges read over and explained to the accused persons, to which, they pleaded not guilty and claimed to be tried.

6. During the course of trial, 4 (four) witnesses were examined and cross-examined. Prosecution exhibited only one document i.e. FIR.

On the other hand to negate the prosecution case, the defence neither examined any witness nor exhibited any documents to prove his innocence in the aforesaid case.

7. The accused persons have in their statements U/s.313 Cr.P.C. only denial the occurrence and pleaded innocence.

8. The point for consideration before this Court is whether the prosecution has been able to prove the charges leveled against the accused persons beyond all reasonable doubts?

9. **P.W.1.** Dhanbihari Paswan (informant) stated in his examination-in-chief that he is the informant in this case. The occurrence took place prior to 5 years in the morning. At that time he was going to clinic. On the way he had an argument with Logit Singh. He along with Bhuneshwar Prasad, Nagbhusan Prasad, Suman Prasad, Narad Prasad got injury in the incident. All injured persons

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were treated in the hospital. He identified his signature on written application and marked as Ext.P-1. He stated about the occurrence to Daroga Ji.

During cross-examination of defence, he stated that a large crowd had gathered at the time of the conversation. During the said conversation, No one abused him by saying caste based words. He can not tell who got injured and how. He only put his signature, he did not read the contents of the FIR. Police have not recorded his statements. He has happily settled this case with Logit Singh. He deposed voluntarily without any fear or pressure.

10. **P.W.2.** Bhuneshwar Paswan stated in his examination-in-chief that Dhanbihari Paswan is the informant in this case. When Nitish Singh and Lojit Singh were quarreling with Lojit Singh then he reached there. As a result he was injured. He was treated in Udwant Nagar hospital. He identified the accused persons.

During cross-examination of defence, he stated that he identified the accused persons due to his co-villagers. He can not tell where and how he got injured. He stated that he deposed voluntarily without any fear or pressure.

11. **P.W.3.** Narad Paswan stated in his examination-in-chief that Dhanbihari Paswan is the informant in this case. There was occurred a little arguments. He was injured in the scuffle with Logit Singh, Nitish and Rahul. He was treated in Udwant Nagar hospital. He identified the accused persons.

During cross-examination of defence, he stated that there was a huge crowd at the place where the conversation took place. He did not see who pushed him in the crowd. He stated that he deposed voluntarily without any fear or pressure.

12. **P.W.4.** Suman Paswan stated in his examination-in-chief that Dhanbihari Paswan is the informant in this case. There was occurred a little arguments. He was injured in the scuffle with Logit Singh, Nitish and Rahul. He was treated in Udwant Nagar hospital. He identified the accused persons.

During cross-examination of defence, he stated that there was a huge crowd at the place where the conversation took place. He did not see who pushed him in the crowd. He stated that he deposed voluntarily without any fear or pressure.

13. (i) This being the state of evidence of the prosecution witnesses, it is now required to analysis the entire evidence on record. In this case P.W.1 is the informant. He is one of the victim in this case. His evidence is important one as he is the author of the case. Hence, I hereby discuss/analysis below, the FIR and the evidence of the informant at first.

As per FIR, on dated 26.11.2020 at about 09:30 A.M. he was going to ara for duty by motercycle. His co-villager stated him not to go on that gali being a lower caste person. On this he opposed and Logit Singh directed to his sons namely Makhhan Singh, Mithun Singh, Mani Singh to assault him. Accordingly they all assaulted him and used him slang terms. He shouted for help to save his life. Nagbhushan came to protect him but he was assaulted by Mithun Singh. Local co-villagers namely Bhuneshwar Paswan, Suman Paswan and Narad Paswan came but they all physically assaulted by them. Makhhan Singh and Mani Singh assaulted by means of iron rod to Narad Paswan. Three persons namely Nitish, Mahendra, Rahul and Dharmendra all had taken out Rs 60,000 with golden chain from his pocket.

This witness(P.W.1) disclosed in his evidence that he can not tell who got injured and how. He only put his signature. He did not read the contents of the FIR. No one abused him by saying caste based words. He has happily settled this case with Lavjit Singh. He voluntarily deposed before this Court. Police have not recorded his statements. The informant did not support his case. So, his evidence is not supportive to the case of the prosecution.

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(ii) Similarly P.W.2 stated during evidence that he identified the accused persons due to his co-villagers. He did not know where and how he got injured. Similarly both P.W.3 and P.W. 4 stated the same fact during evidence that there was a huge crowd at the place of occurrence and he did not see who pushed him in the crowd. In this way none of the witnesses supported the case of the prosecution.

(iii) It is pertinent to mention that prosecution case cannot stand basing any imaginary story. It should passed through the touch stone of credibility. In this case there is no any single evidence found against the accused person. The informant did not corroborate the contents of his written application. The informant also changed his version during evidence. Neither any direct nor any circumstantial evidence available against any of the accused persons. In this way prosecution miserable failed to prove the case.

14. The aforesaid analysis of the evidence on record, reveals that the accused persons namely (1) Nitish Singh, (2) Rahul Singh and (3) Lavjit Singh have not committed offences of U/s. 341/323/307/504/506/34 IPC R/W 3(i)(r)(s)/3(2)(va) of SC&ST (Prevention of Atrocities) Act. So, the accused persons namely (1) Nitish Singh, (2) Rahul Singh and (3) Lavjit Singh found, not guilty of the offence U/s. 341/323/307/504/506/34 IPC R/W 3(i)(r)(s)/3(2)(va) of SC&ST (Prevention of Atrocities) Act, for which they are acquitted therefrom U/s.235(1) Cr.P.C.

All the acquitted persons are on bail during trial. They be set at liberty forthwith.

The judgment is pronounced in the open Court today on this the 19th day of March, 2026 given under my hand and seal of this Court.

Typed & corrected by

Sailendra Kumar Panda

1st Addl.Sessions Judge.
Bhojpur at Ara.

19.3.2026

Sailendra Kumar Panda

1st Addl.Sessions Judge, 19.3.2026
Bhojpur at Ara.

