

Date of offence	22.12.2023
Date of F.I.R.	23.12.2023
Date of Charge-sheets	02.05.2024 & 17.04.2025
Date of Framing of Charges	18.09.2025
Date of commencement of evidence	23.03.2026
Date on which the Order is reserved	N.A.
Date of Order	15.04.2026
Date of sentencing Order, if any	N.A.

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Rank of the Accused person	A-1
Name of the Accused Person	Loha Yadav @ Kisun Yadav
Date of Arrest / Surrender	03.03.2025
Date of Release on Bail	N.A.
Offences charged with	U/ss 307 IPC & 27 Arms Act.
Whether Acquitted or convicted	Acquittal
Sentence Imposed	N.A.
Period of Detention Undergone during Trial for the purpose of Section 428 Cr.P.C.	N.A.

Rank of the Accused person	A-2
Name of the Accused Person	Nagendra Yadav
Date of Arrest / Surrender	09.04.2025
Date of Release on Bail	26.11.2025
Offences charged with	U/ss 307 IPC & 27 Arms Act.
Whether Acquitted or convicted	Acquittal
Sentence Imposed	N.A.
Period of Detention Undergone during Trial for the purpose of Section 428 Cr.P.C.	N.A.

Rank of the Accused person	A-3
Name of the Accused Person	Puja Yadav
Date of Arrest / Surrender	13.03.2024
Date of Release on Bail	06.07.2024
Offences charged with	U/s 307/34 IPC.
Whether Acquitted or convicted	Acquittal
Sentence Imposed	N.A.
Period of Detention Undergone during Trial for the purpose of Section 428 Cr.P.C.	N.A.

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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)
P.W.1	Umesh Kumar Singh	Other witness
P.W.2	Ranju Devi	Informant
P.W.3	Preeti Kumari	Other witness

B. Defence Witnesses, if any :

RANK	NAME	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
DW1	N.A.	N.A.

C. Court Witnesses, if any :

RANK	NAME	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
N.A.	N.A.	N.A.

LIST OF PROSECUTION/DEFENCE/COURT EXHIBITS

A. Prosecution :

Sr. No.	Exhibit Number	Description
N.A.	N.A.	N.A.

B. Defence :

Sr. No.	Exhibit Number	Description
N.A.	N.A.	N.A.

C. Court Exhibits

Sr. No.	Exhibit Number	Description
N.A.	N.A.	N.A.

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D. Material objects :

Sr. No.	Material Object Number	Description
N.A.	N.A.	N.A.

ORDER U/s 232 Cr.P.C.

1. The abovenamed accused are facing trial for offence U/ss 307/34 IPC & 27 Arms Act.
2. The prosecution case is that the informant Ranju Devi gave her fard-beyan on 23.12.2023 in Shanti Memorial Hospital of Dr. Vikash Singh that on 22.12.2023 at 04:00 P.M., she was sitting at her door meanwhile accused Nagendra Yadav and accused Loha Yadav came there. Accused Nagendra Yadav shot bullet in her right hand and accused Loha Yadav shot bullet in her right breast. The informant further saw that ten steps a head of her door, Dharmendra Yadav and Puja Yadav were standing on a motorcycle and were saying that their job was done. After shooting her, Nagendra Yadav and Loha Yadav sitting on one motorcycle and Dharmendra Yadav and Puja Yadav sitting on another motorcycle and fled away. Loha Yadav is maternal uncle of Dharmendra Yadav. The informant further stated that 5-6 days earlier Nagendra Yadav, Loha Yadav, Dharmendra Yadav and Puja Yadav had come to her house and demanded rangdari from her husband Umesh Kumar Singh. In the meantime she has also reached there and asked them why should they give rangdari to them upon which they said they will teach her a lesson upon which she said that she would call police thereafter all those persons went away.
3. On the basis of the fard beyan of informant Ranju Devi, Bihiya P.S. Case No. 336/2023 dated 23.12.2023 was registered against U/ss 307/34 IPC & 27 Arms Act. After completion of investigation, police submitted charge-sheet no. 71 of 2024 dated 02.05.2024 against accused Puja Yadav @ Abhinandan Yadav U/ss 307/34 IPC & 27 Arms Act and police submitted supplementary charge-sheet no. 154 of 2025 dated 17.04.2025 against accused Loha Yadav @ Kisun Yadav and Nagendra Yadav U/ss 307/34

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IPC & 27 Arms Act. The cognizance was taken U/ss 307/34 IPC & 27 Arms Act by Ld. JMFC, Bhojpur at Ara against accused Loha Yadav @ Kisun Yadav, Nagendra Yadav and Puja Yadav @ Abhinandan Kumar on 11.06.2025.

4. The charges were framed against the accused Puja Yadav on 18.09.2025 U/ss 307/34 IPC and against accused Loha Yadav @ Kisun Yadav and Nagendra Yadav U/ss 307/34 IPC & 27 Arms Act. The charge were read over and explained to the accused in Hindi to which they pleaded not guilty and claimed to be tried.
5. The prosecution examined three witnesses namely PW.1-Umesh Kumar Singh, P.W.3-Ranju Devi and PW.3-Preeti Kumari to substantiate its case and did not produce any documentary evidence.
6. The prosecution witness P.W.1- Umesh Kumar Singh stated in his examination in chief that the occurrence took place in December 2023. He does not remember the date and it was evening. He had gone to market to purchase vegetables meanwhile he got a phone call from house that his wife has sustained bullet injury. He does not remember who had informed him on phone. Thereafter, he came to his house and saw that some blood had fallen there and his neighbours informed him that his wife had gone to the hospital for treatment. He has no knowledge who has fired the shot. Police did not record his statement. The witness was delcared hostile on the request of the prosecution and Ld. Additional Public Prosecutor was permitted to cross-examine him. During his cross-examination by prosecution, he denied the suggestion that he had stated before the police that at 4:00 P.M., he had gone to bring vegetables from the market meanwhile his daughter-in-law informed him on phone that somebody shot his wife and he immediately came back to house and saw that blood had fallen at the door and when enquired from the persons nearby, they informed that his wife and daughter-in-law had gone to police station and were taken to primary health center for treatment from where she was

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referred to Ara for better treatment but due to the serious condition of his wife she was admitted in Shanti Memorial Hospital for better treatment and his wife was shot by Nagendra Yadav, Loha Yadav, Dharmendra Yadav and Puja Yadav due to the previous dispute and rangdari demand and those persons had fled away. He could not identified the accused present in the court. He denied the suggestion that he has deposed falsely in the court in collusion with the accused. During his cross examination on behalf of accused Nagendra Yadav, he stated that he had gone to the market to bring vegetables in the evening. It was dark. He had received phone call after one hour of going to the market. He had seen the blood fallen under the stairs in the south direction of his house. There is a 20-25 KM between Fingi village and Bihiya. He deposed voluntarily without any force and coercion. During his cross examination on behalf of accused Loha Yadav, he stated that he had not seen the occurrence being committed and could not know till date who had caused the occurrence. He deposed voluntarily without any force and coercion. During his cross-examination on behalf of accused Puja Yadav, he stated that the Chik Toli Mohalla is 100-150 gaj away from police station and this distance can be covered comfortably within 10-12 mins. Ranju Devi is his wife, Preeti Devi is his daughter-in-law and Basant Kumar is his brother.

7. P.W.2- Ranju Devi stated that she is the informant of this case. The occurrence took place 2.5-3 years back. It was 04:00-05:00 P.M., the sound of cracker was heard and she saw that she was bleeding and her clothes had drenched. Her daughter-in-law rushed to her and said that she was bleeding profusely and asked her to go to the hospital. She came to the Bihiya Government Hospital with her daughter-in-law. Thereafter, she became unconscious and later she came to police station where police took her thumb impression on a blank paper. Police did not record his statement. The witness was declared hostile on the request of the prosecution and Ld. Additional Public Prosecutor was permitted to cross-

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examine her. During her cross-examination by prosecution, she denied the suggestion that she had stated before the police that on 12.12.2023 at 04:00 O' clock while talking to her gotani she sat down at the gate of her door and heard the noise of the cracker thereafter, accused Nagendra and Loha hit her right hand and she asked them what kind of bomb they had thrown on her as her hand had become numb and thereafter, Dharmendra and Puja were standing on the motorcycle there and those persons said that their job was done and after hitting with bullet Nagendra and Loha riding on the motorcycle fled away. She further denied the suggestion that she has been won over by the accused and deposing falsely in the court. She could not identify the accused present in the court. During her cross-examination on behalf of accused Nagendra and Puja Yadav, she stated that she has deposed voluntarily without any force and coercion. There are many houses around her house. Fingi village is away from her village. During her cross-examination on behalf of accused Loha Yadav, she stated that she is deposing for the first time after the occurrence.

8. P.W.-3 Preeti Kumari stated in her examination in chief that the occurrence took place 3 years back. She does not remember the date and time. Police did not make enquiry from her. The witness was declared hostile on the request of the prosecution and Ld. Additional Public Prosecutor was permitted to cross-examine her. During her cross-examination by prosecution, she denied the suggestion that she had stated before the police that her mother-in-law Ranju Devi was sitting with her child on the stairs thereafter, she started talking meanwhile one person shot her and noises like cracker were heard and she went inside her house and made halla and came and saw two persons went away towards Chik Toli and blood started falling from the hand of her mother-in-law due to bullet injury thereafter, she took her mother-in-law in the ambulance to the hospital and she identifies the persons who had fired the bullets and her mother-in-law also identifies the persons who had fired the bullets. She further denied the

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suggestion that she is deposing falsely in collusion with the accused. She could not identify the accused present in the court. During her cross-examination by defence, she stated that she lives in parda in her matrimonial house and does not go out of the house. She stated that she has deposed voluntarily without any force and coercion. She was married five years ago from today.

9. Learned counsel for the defence submitted that the prosecution witnesses including the informant/victim have not supported the prosecution case and prayed to close the prosecution evidence and acquit the accused from the charges.
10. I have heard learned Additional Public Prosecutor, Learned counsel for the defence and also perused the case record.
11. The accused stand charged U/ss 307/34 IPC & 27 Arms Act in the present case. The P.W.-2 Ranju Devi (informant/victim) supported the occurrence in her evidence and stated she was shot with bullets but did not state the names of the accused. P.W.-2 even did not identify the accused present in the court. She also stated that police did not record her statement and her thumb impression was taken on the blank paper by police. P.W.-3 Preeti Kumari, daughter in law of the victim, who is also the eye witness of the occurrence stated in her evidence that the occurrence took place three years back and she further stated that police did not enquire from her. She neither stated the names of the accused nor identified the accused present in the court. P.W.-1 Umesh Kumar, husband of the victim stated in his evidence that his wife was shot and further stated that he has no knowledge who had shot his wife. Police did not record his statement. P.W.-1 even did not identify the accused present in the court. Thus, it is clear from the evidence of P.W.-1, P.W.-2 and P.W.-3 that the witnesses of fact have turned hostile and they have not supported the prosecution case. Accordingly the prosecution evidence is closed. Since, there is no incriminatory material against the accused on the record therefore, the

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statements of the accused u/s 313 CrPC is not being recorded.

12. In view of the above discussion, I find that there is no sufficient evidence against the accused on the record. Therefore, accused persons namely Loha Yadav @ Kisun Yadav and Nagendra Yadav are **acquitted** of the charge U/ss 307/34 IPC & 27 Arms Act and accused person namely Puja Yadav is **acquitted** of the charge U/s 307/34 IPC in connection with Bihiya P.S. Case No. 336 of 2023. The accused persons namely Nagendra Yadav and Puja Yadav are on bail. Their bail bonds are cancelled and sureties are discharged. Accused Loha Yadav @ Kisun Yadav is in custody. O/c is directed to issue release warrant immediately.
 Order pronounced in the open court.

(Dictated)

Sudhakar Pandey
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(Dictated and corrected)

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