

FORM A

IN THE COURT OF SESSIONS JUDGE	
BUXAR, BIHAR- 802101	
PRESENT : KAJAL JHAMB	
Date of Judgment : 20th May, 2026	
Session Trial No.: 321 of 2025	
C.I.S No. 321/2025	
C.N.R. No. BRBU10-007459-2025	
(Arising out of Rajpur P.S. Case No. 34/2024, dated 30.01.2024, registered u/s- 147, 148, 149, 341, 323, 379, 307, 504, 506 of I.P.C.)	
Informant	Ajeet Kumar Singh
Represented by	Sri Aditya Kumar Verma, Learned Additional Public Prosecutor
Accused	Rahul Kumar Ram, aged about 25 years, S/o Rajesh Ram R/o Village- Dihri, Police Station- Rajpur, District- Buxar
Represented by	Sri Umesh Kumar Singh, Learned Advocate. Sri Satyendra Kumar, Learned Advocate.

FORM B

Date of Offence	27.01.2024
Date of FIR	30.01.2024
Date of charge sheet	08.03.2025, furnished on 11.07.2025
Date of Framing of Charge	18.10.2025
Date of commencement of evidence	30.10.2025

Date on which Judgment is reserved	18.05.2026
Date of Judgment	20.05.2026
Date of Sentencing Order, if any	N.A

Accused Details :

Rank of the Accused	Sole
Name of Accused	Rahul Kumar Ram
Date of Arrest	05.04.2024
Date of Release on Bail	05.04.2024
Offences Charged with	U/s 308, 323, 341, 504, 506 of I.P.C.
Whether Acquitted or convicted	Acquitted
Sentence Imposed	N.A.
Period of Detention Undergone during Trial for purpose of section 468 B.N.S.S. (earlier 428, Cr.P.C.)	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)
P.W.-1	Ajeet Kumar Singh	Informant/victim
P.W.-2	Bhagwan Singh	Informant's father/victim

P.W.-3	Ritesh Kumar	Independent witness
P.W.-4	Dr. Om Prakash Narayan	Medical Officer

B. Defence Witnesses, if any :

RANK	NAME	NATURE OF EVIDENCE
	None	

C. Court Witnesses, if any :

RANK	NAME	NATURE OF EVIDENCE
	None	

A. Prosecution Exhibits

Sr. No.	Exhibit Number	Description
1.	P.W.1/Ext.P1	Written petition
2.	P.W.4/Ext. P2	Injury report of Ajeet Kumar Singh

B. Defence Exhibits : NONE

Sr. No.	Exhibit Number	Description
	None	

C. Court Exhibits : NONE

Sr. No.	Exhibit Number	Description
	NONE	

D. Material Objects : NONE

Sr. No.	Exhibit Number	Description
	None	

(Kajal Jhamb)
Sessions Judge, Buxar
20.05.2026

IN RE: -

State (Through Informant Ajeet Kumar Singh

..... **Prosecution**

Vs

Rahul Kumar Ram, aged about 25 years, S/o Rajesh Ram

R/o Village- Dihri, Police Station- Rajpur, District- Buxar

..... **Accused Person**

P.S: Rajpur

District: Buxar

FIR No.: Rajpur P.S. Case No. 34/2024, dated 30.01.2024, registered u/s- 147, 148, 149, 341, 323, 379, 307, 504, 506 of I.P.C.

C.S No.: 111/2025, dated 08.03.2025, u/s 341, 323, 308, 504, 506 of I.P.C.

Cognizance u/s u/s 341, 323, 308, 504, 506 of I.P.C., dated 11.07.2025

Charges framed: u/s. 308, 323, 341, 504, 506 of I.P.C., dated 18.10.2025

Date of Judgement: - 20th May, 2026

Present- Kajal Jhamb, Sessions Judge, Buxar

JUDGMENT

1. In the instant case, accused Rahul Kumar Ram has been tried for the commission of offence punishable under Sections 308, 323, 341, 504, 506 of Indian Penal Code (hereinafter called I.P.C.) for having assaulted informant Ajeet Kumar Singh and injured him with such intention and under such circumstances that if by that act he had caused the death of Ajeet Kumar Singh, he would have been guilty of

culpable homicide not amounting to murder. He is also tried for voluntarily causing hurt, wrongfully retraining, intentionally insulting by giving provocation to him intending or knowing it to be likely that such provocation will cause him breach public place and committing criminal intimidation by threatening Ajeet Kumar Singh.

2. BRIEF FACTS OF THE CASE

Informant Ajeet Kumar Singh has filed a written petition at Rajpur P.S alleging therein that, on 27.01.2024 at about 05:00 P.M. while he was at his Shivganga Cement store situated at Isapur Mahavir Sthan, 10 boys aged between 18-25 came inside his shop and 05 of them attacked him with rod due to said attack the informant got several injuries, as a result of which he got unconscious. It is alleged that those persons took Rs.3,20,000/- from the shop of informant and assaulted his father, who was sitting on a chair outside the shop. The accused persons scattered the things kept in the shop, took money and fled away. The informant identified one Rahul Kumar Ram, whose father is dealer in village Dihari. He claimed to identify the other boys on seeing them. On basis of complaint, Rajpur P.S. Case No. 34/2024 got registered against Rahul Kumar Ram and 09 unknown persons.

After investigation of the case, police filed charge-sheet no. 111/2025, dated 08.03.2025, u/s 341, 323, 308, 504, 506 of I.P.C. against the accused Rahul Kumar Ram only.

Relying upon the police report, the learned Trial Court took cognizance of offence u/s 341, 323, 308, 504, 506 of I.P.C. and summoned the charge-sheeted accused. The case was then committed to this Court on 09.10.2025 and the Court proceeded with the trial of the case against the summoned accused.

3. CHARGE

On 18.10.2025, this Court framed charge against the accused Rahul Kumar Ram u/s 341, 323, 308, 504, 506 of I.P.C. The charge was read over and explained to the accused in Hindi to which he pleaded not guilty and claimed to be tried.

4. PROSECUTION EVIDENCE

To prove the case, prosecution produced 04 witnesses and 2 documents which are as follows:

P.W.-1	Ajeet Kumar Singh
P.W.-2	Bhagwan Singh
P.W.-3	Ritesh Kumar
P.W.-4	Dr. Om Prakash Narayan

Documents

P.W.1/Ext.P1	Written petition
P.W.4/Ext. P2	Injury report of Ajeet Kumar Singh

The accused persons in their statement recorded under Section-313 Cr.P.C. simply denied the evidences brought against them by the prosecution and pleaded their innocence in the case.

Defence did not file any oral or documentary evidence. But, the learned Defence Counsel Cross-Examined at length, all the prosecution witnesses produced before this Court.

5. ARGUMENTS

On behalf of the prosecution:

Learned P.P. argued that all the prosecution witnesses have supported the case of the prosecution and there is sufficient material on record against accused person to convict him with maximum sentence.

On behalf of the defence:

The learned Defence Counsel argued the accused has been impleaded in a false case. He has not committed any offence. The prosecution has produced four witnesses in support of its case. The injured/informant (P.W. 1) after having identified the accused Rahul Kumar Ram, specifically stated that he was not involved in the occurrence rather he gave his name due to misunderstanding. P.W.4 Medical Officer stated that the injuries sustained by Ajeet Kumar were found to be simple in nature and can be caused by falling on the ground. P.W.2 who is also one of the injured has also stated that Rahul Kumar Ram was not involved in the occurrence. As such, the prosecution has miserably failed to discharge its burden of proof, therefore, the accused Rahul Kumar Ram is entitled for acquittal from the charge.

7. FINDINGS

P.W.1: Ajeet Kumar Singh informant-cum-injured in his testimony recorded on 01.12.2025 stated that he filed the instant case against two persons, Rahul Kumar and his brother whose name he does not know. The occurrence took place about an year ago in December at about 05.00 P.M. That he does not remember the date of occurrence. An altercation broke out in which 7-8 persons entered in his shop, abused and assaulted him. They also took away money from cash counter. The accused person assaulted him with iron rod and injured his head. He did not know the name of accused who assaulted him, the people told him that Rahul Kumar assaulted him. No other members of his family sustained any injury. He was taken to Usha Hospital, Ishapur Mahavir Asthan where he was referred to Sadar Hospital, Buxar after primary treatment. He has further stated that the accused Rahul Kumar, who was present in the court was not involved in the occurrence. His brother Amit Kumar prepared the the written petition which contains the signature of his witness. On his identification, the written petition got marked as Exhibit- **P.W.1/Exhibit-P1**.

In his cross-examination, this witness has stated that he lodged the instant case against Rahul due to misunderstanding and when he got to know the truth he compromised the case and filed compromise petition. He signed the compromise petition with his own free will. He did not know how he got injured. Other than him no one got injured in instant case. No one had abused or threatened him. He has no objection if the accused is acquitted. He had sustain simple injuries. He is deposing in instant case with his own free will without any pressure.

P.W. 2 Bhagwan Singh father of informant/injured in his testimony recorded on 01.12.2025 stated that the occurrence took place two years ago between 1.30-2.00 P.M. At that time, he was sitting in the shop of his son. An altercation broke out between both sides in which his son sustained head injury. 15-20 people entered in the shop and assaulted with danda and rod. Thereafter, police arrived and took his son to nearby hospital, from there he was referred to Buxar Hospital. He does not know when the written petition was given at police station. He cannot say whether the accused Rahul Kumar Ram was involved in the occurrence or not. He sustained only minor injuries in the occurrence. Due to crowd, he could not see who assaulted him.

In his cross-examination, this witness has stated that his statement was recorded by police. He does not know how he and his son got injured in the occurrence. The instant case against the accused Rahul Kumar has been lodged due to misunderstanding. The case has been compromised. He was not treated anywhere. He is deposing in instant case out of his own free will without any pressure. No one had abused or threatened him and his son suffered only minor injuries.

P.W. 3 Ritesh Kumar denied to have any knowledge about the occurrence. The witness was declared hostile on prayer of prosecution itself and the court permitted the cross-examination of the witness by the prosecution.

In his cross-examination by the prosecution, the witness completely denied his statement recorded u/s 161 Cr.P.C. He refused to identify the accused Rahul Kumar, who was present the Court.

In his cross-examination by the defence, the witness has stated that he was not present at the place of occurrence. He is not acquainted with informant Ajeet Kumar Singh. He has no knowledge about the occurrence.

P.W.4 Dr. Om Prakash Narayan has stated that on 27.01.2024, he was posted as Medical Officer at Sadar Hospital, Buxar and on same day at 06:00 P.M. he examined Ajeet Kumar and found following injuries:

- (i) Lacerated wound over right temporal region of head size 3 cm x 0.5 cm
- (ii) Pain and swelling over right shoulder and elbow joint.

X-ray (Plate No. ER 1449, dated 27.01.2024) left shoulder and right elbow joint showed normal.

Opinion: Both injury (i) and (ii) were found to be simple in nature and caused by hard and blunt object within 6 hours of duration.

The witness identified the injury report to be in his writing and signature. On his identification, the injury report got marked as **Exhibit-P.W.4/Exhibit-P2**.

In his cross-examination, the witness stated that he has not mentioned the color of injury. As per medical jurisprudence pain and swelling itself are an injury. Both may be fatal but he had not mentioned about the same in his injury report. He has opined the injuries to be simple in nature. The injuries may be caused due to falling on a hard surface. He had not mentioned in the injury report whether the injured received any primary treatment or not.

8. Having gone through the entire case record including the oral statement of witnesses and the documentary evidence produced on record by the prosecution, the court has reached to the following findings:

The accused Rahul Kumar Ram has been tried for the commission of offence punishable under Sections 308, 323, 341, 504, 506 of Indian Penal Code. The

burden to prove the charge levelled against the accused was on prosecution, who in support of its case brought four oral witnesses and exhibited 2 documents. The injured/informant (P.W. 1), who is an eye-witness of the case has though stated in his examination-in-chief that on the date of occurrence he was assaulted with iron rod by 7-8 persons thereby causing head injury. But, in para 5 of his testimony he specifically stated that the accused Rahul Kumar was not involved in the occurrence. In para 7 of his cross-examination, he stated that he named Rahul Kumar in this case due to misunderstanding. In para 8 he has stated that he sustained only simple injuries. P.W. 2 father of victim/informant as well as eye witness of the case has stated in his examination-in-chief that his son/informant was assaulted by 15-20 persons due to which he sustained head injury. However, in para 2 of his examination-in-chief he stated that he could not say, whether accused Rahul Kumar was involved in the occurrence or not. In para 4 of his cross-examination he stated that the name of accused Rahul Kumar was given in this case due to misunderstanding. P.W.4 Medical Officer has stated that the injuries of injured Ajeet Kumar were opined to be simple in nature and the said injuries can also be caused due to falling on a hard surface. There is inconsistency with respect to the time of occurrence as P.W.1 has stated that the occurrence took place at about 05.00 P.M. on the other hand P.W.2, who is also an eye witness of the case stated that the occurrence took place between 1.30-02.00 P.M. Also, both the eye-witnesses/injured (P.W.1 and P.W.2) have stated about the compromise held between the parties. From above discussion, it transpires that although, the informant/injured Ajeet Kumar sustained head injury but prosecution has not been able to satisfactorily prove the cause of the said injury. Moreover, none of the witnesses has deposed about the involvement of the instant accused in the alleged occurrence.

For want of any substantive evidence against the accused, he cannot be held guilty of the charge levelled against him.

The Prosecution has as such, miserably failed to prove the charge levelled against the accused beyond any shadow of all reasonable doubt.

9. ORDER

As all the above noted facts create doubt about the veracity of the prosecution story, the court is of the view that the prosecution has not been able to establish its case beyond reasonable doubt. The accused **Rahul Kumar Ram**, therefore, hereby, **acquitted** of the charges under Sections 308, 323, 341, 504, 506 of the Indian Penal Code and is also discharged from the liability of his respective bail bonds.

The judgment was pronounced in the open court in the presence of both the parties.

Let the record of this case be consigned to the record room.

(Dictated & Corrected by me)

Sd/-

(Kajal Jhamb)
Sessions Judge, Buxar
20.05.2026

Sd/-

(Kajal Jhamb)
Sessions Judge, Buxar
20.05.2026

Date of reserving judgment	18.05.2026
Date of Judgment	20.05.2026
Date of uploading	27.05.2026
Uploaded by	Roshan Kumar, Stenographer