

**FORM A**

<b>IN THE COURT OF SESSIONS JUDGE</b> <b>Present:- Shri Shiv Gopal Mishra, Sessions Judge, Darbhanga</b> <b>[ 12<sup>h</sup> day of March, 2026]</b> <b>SESSIONS TRIAL No.- 21 Of 2026</b> <b>Arising out of Bahadurpur P.S. Case No. 401 OF 2023 dated 03-08-2023</b>	
<b>INFORMANT</b>	<b>State of Bihar (Through Jameena Khatoon)</b>
<b>REPRESENTED BY</b>	<b>Sri Chamak Lal Pandit, Learned Addl. P.P.</b>
<b>ACCUSED</b>	<b>1.Md. Naushad 2.Md. Manjur 3.Md. Asraf 4.Md.Aslam 5.Md. Daud 6.Sabana Khatoon 7.Nazma Khatoon 8.Khatoon Khatoon</b>
<b>REPRESENTED BY</b>	<b>Sri Manoj Kumar, Learned Advocate</b>

Date of Offence	28-07-2023
Date of FIR	03-08-2023
Date of Charge sheet	18-08-2024
Date of Framing Charges	17-02-2026
Date of commencement of evidence	06-03-2026
Date on which judgment is reserved	12-03-2026
Date of the Judgment	12-03-2026
Date of the Sentencing Order, if any	-

**Accused Details:**

Rank of the accused	Name of the accused	Date of Arrest/surrender	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
A1	Md. Naushad, aged about 33 years S/o Md. Daud of Village- Asgaw, PS- Bahadurpur, District- Darbhanga.	22-08-2023	22-08-2023	341/34, 308/34 & 324/34 of the IPC	Acquitted	-	Nil

## Court of Sessions Judge, Darbhanga.

Present :- Shri Shiv Gopal Mishra, Sessions Judge, Darbhanga,  
S.T. No. 21/2026 (State Versus Md. Naushad & Ors.)

2

A-2	Md. Manjur, aged about 41 years S/o Md. Daud of Village- Asgaw, PS- Bahadurpur, District- Darbhanga.	22-08-2023	22-08-2023	341/34, 308/34 & 324/34 of the IPC	Acquitted	-	Nil
A-3	Md. Asraf, aged about 30 years S/o Md. Daud of Village- Asgaw, PS- Bahadurpur, District- Darbhanga.	22-08-2023	22-08-2023	341/34, 308/34 & 324/34 of the IPC	Acquitted	-	Nil
A-4	Md. Aslam, aged about 27 years S/o Md. Daud of Village- Asgaw, PS- Bahadurpur, District- Darbhanga.	22-08-2023	22-08-2023	341/34, 308/34 & 324/34 of the IPC	Acquitted	-	Nil
A-5	Md. Daud, aged about 67 years son of Late Kailu of Village- Asgaw, PS- Bahadurpur, District- Darbhanga.	22-08-2023	22-08-2023	341/34, 308/34 & 324/34 of the IPC	Acquitted	-	Nil
A-6	Sabana Khatoon, aged about 38 years wife of Md. Manjur of Village- Asgaw, PS- Bahadurpur, District- Darbhanga.	22-08-2023	22-08-2023	341/34, 308/34 & 324/34 of the IPC	Acquitted	-	Nil
A-7	Nazma Khatoon, aged about 30 years wife of Md. Naushad of Village- Asgaw, PS- Bahadurpur, District- Darbhanga.	22-08-2023	22-08-2023	341/34, 308/34 & 324/34 of the IPC	Acquitted	-	Nil
A-8	Khaitoon Khatoon @ Bibi Khatoon, aged about 62 years wife of Md. Daud of Village- Asgaw, PS- Bahadurpur, District- Darbhanga.	22-08-2023	22-08-2023	341/34, 308/34 & 324/34 of the IPC	Acquitted	-	Nil

**JUDGMENT**

1. Above named accused person stands charged for the offence under

3

sections 341/34, 308/34 and 324/34 of the IPC. The charges read over and explained to the accused person in Hindi language to which they pleaded not guilty and claimed to be tried.

2. As per FIR, the prosecution case in short is that on 28-07-2023 at 7.00 PM accused Sabina Khatoon was throwing spit upon the informant's cousin mother-in-law Shakina Khatoon on the tube well and Shabana Khatton, who is mother-in-law of the informant was sitting adjacent to them, made protest then quarrel took place in between them, which was pacified. It is alleged that again at 9.15 PM accused Md. Naushad, Md. Manjur, Md. Ashraf, Md. Aslam, Md. Daud, Shabana Khatoon, Nazma Khatoon and Khaitan Khatoon, duly armed with dagger, iron rod, lathi and piece of brick came at the house of informant where informant's cousin mother-in-law Shakila Khatoon and cousin father-in-law Md. Islam were sleeping. All the accused persons started assaulting them by saying Dayan to her cousin mother-in-law Shakila Khatoon. On hearing hulla informant came there then accused Md. Naushad gave dagger blow on the neck of the informant, due to which she sustained cut injury on her neck and blood was oozing out. It is further alleged that when informant's cousin father-in-law came outside then accused Md. Manjur and Md. Ashraf assaulted him with iron rod and lathi, due to which he sustained injury and blood was oozing out from his head. It is alleged that Md. Aslam and Shabana Khatoon assaulted informant's cousin mother-in-law with lathi and piece of brick, which hit on her head and body and blood was oozing out from her head. All accused persons assaulted them and entered into the house of informant and dismantled the house and also took away articles from the box. On hulla villager came there then accused persons returned back. The villager took them to the DMCH for treatment.

3. On the basis of farad-beyan of the informant, Bahadurpur P.S. Case No. 401 of 2023 dated 03-08-2023 was registered against the accused persons for the offence U/Ss 308, 323, 324, 341, 379/34 of the IPC and investigation commenced. On completion of investigating charge-sheet bearing number 101 of 2024 dated 18-08-2024 was submitted against the accused person namely Md. Naushad, Md. Manjur, Md. Ashraf, Md. Aslam, Md. Daud, Shabana

4

Khatoon, Najma Khatoon and Khaitun Khatoon for offences u/s 308, 323, 324,341/34 of the IPC and learned A.C.J.M.-IX, Darbhanga took cognizance of the offence U/Ss 308, 323, 324,341/34 of the IPC against accused person namely Md. Naushad, Md. Manjur, Md. Ashraf, Md. Aslam, Md. Daud, Shabana Khatoon, Najma Khatoon and Khaitun Khatoon. Later on the case was committed to the Court of Sessions.

4. The statement of accused persons were recorded u/s 313 Cr. P.C. The main defence of the accused persons is of complete denial of the occurrence.

5. Now, the only point for determination in this case is whether the prosecution has been able to prove the charges framed against the accused persons beyond all reasonable shadows of doubt?

#### FINDINGS.

6. In this case the prosecution has examined altogether 05 witnesses namely P.W.-01 is Md. Zakir, P.W.-02 is Md. Jahangir, P.W.-03 is Jamina Khatoon, the informant of this case, P.W.-04 is Md. Islam, P.W.5 is Shakila Begum and P.W.-06 is Ram Pukar Yadav is formal witness.

7. In addition to oral evidence, the prosecution has also produced and proved the following documents-

Ext. P-1/PW-3 is Signature of the informant Jareena Khatoon on the farad beyan.

Ext. P-2/ PW-6 is Formal FIR.

Ext. P-3/ PW-6 is Endorsement made on the farad beyan.

Ext.P-4/PW-6 is Charge sheet.

Ext.P-5/PW-6 is Injury report of injured Jareena Khatoon.

Ext.P-6/PW-6 is Injury report of injured Md. Islam.

Ext.P-7/PW-6 is Injury report of injured Shakila Khatoon.

8. Now, I would like to discuss the evidence of prosecution witness.

**PW-1 Md. Zakir** has stated in his examination-in-chief that he knows informant of this case namely Zamina Khatoon because she is his neighbor. The occurrence took place about 2 ½ to 3 years ago in the night. He heard that

5

Md. Naushad, Md. Manzur, Md. Ashraf, Md. Aslma, Md. Daud, Shabana Khatoon, Nazma Khatoon, Khaita Khatoon were abused and assaulted Zamina Khatoon, due to which she sustained injury. He further deposed that Aslam and Shabana Khatoon also became injured. This witness has identifies accused Md. Manzoor and also claims to identifies other accused person, who are not present in the court.

In his cross examination he deposed that he has not seen the occurrence from his own eye. He heard about the occurrence, but he has not remember that who stated about the occurrence. Accused persons are his neighbor, so he knows them.

**PW-2 Md. Jahagir** has stated in his examination-in-chief that he knows informant of this case namely Zamina Khatoon because she is his neighbor. The occurrence took place about 2 ½ to 3 years ago in the night. He heard that Md. Naushad, Md. Manzur, Md. Ashraf, Md. Aslma, Md. Daud, Shabana Khatoon, Nazma Khatoon, Khaita Khatoon were abused and assaulted Zamina Khatoon, due to which she sustained injury. He further deposed that Aslam and Shabana Khatoon also became injured. This witness has identifies accused Md. Manzoor and also claims to identify other accused person, who are not present in the court.

In his cross examination he deposed that he has not seen the occurrence from his own eye. He heard about the occurrence, but he has not remember that who stated about the occurrence. Accused persons are his neighbor, so he knows them.

**PW-3 Zamina Khatoon** has stated in her examination-in-chief that she is informant of this case. The occurrence took place about 2 ½ years ago at 8.30 to 9.00 PM in the night. At that time she was at her house. She further deposed that Md. Naushad, Md. Manzur, Md. Ashraf, Md. Aslma, Md. Daud, Shabana Khatoon, Nazma Khatoon, Khaita Khatoon were abused and quarrelled with her at the tube well due to throwing spit on her. She further deposed that when Islam and Shakila Khatoon came to save her then accused persons also quarrelled with them. She further deposed that she, Islam and Shakila Khatoon became injured and they got treatment in the DMCH where Darogaji came

**Page No. 6**  
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**S.T. No. 21/2026 (State Versus Md. Naushad & Ors.)**

6

there and recorded her farad beyan. She put her signature on the faread beyan. She identifies her signature, which is marked as Ext. P-01. She identifies accused Md. Manzur, who is present in the court. She also claims to identify other accused person, who is not present in the court.

In her cross examination she deposed that the quarrel took place in between children. She further deposed that at the time of incident, mud had accumulated near the hand pump at place of occurrence. She further deposed that at the place of occurrence huge crowd were assembled and due to scuffle she, Islam and Shakila Khatoon's leg slipped, due to which they got injury. She further deposed that neither of the accused assaulted them nor did she saw any of the accused abusing them. She further deposed that Darogaji did not read the farad beyan to me nor she ever got the opportunity to read the farad beyan. She signed over it on the instigation of Darogaji. The accused persons are her neighbors, so she knows them.

**PW-4 Md. Islam** has stated in his examination-in-chief that informant Zamina Khatoon is his cousin daughter-in-law. The occurrence took place about two years ago. He heard that Md. Naushad, Md. Manzur, Md. Ashraf, Md. Aslma, Md. Daud, Shabana Khatoon, Nazma Khatoon, Khaita Khatoon were abusing and quarreling with Zamina Khatoon. He went to save her then accused persons also quarreled with him. He further deposed that in the quarrel Zamina Khatoon became injured. Farad beyan of Zamina Khatoon were recorded in the hospital and he also put his thumb impression thereon. This witness has identifies accused Md. Manzoor and also claims to identify other accused person, who are not present in the court.

In his cross examination he deposed that he has not seen the occurrence from his own eye. He heard about the occurrence, but he has not remember the name of person, who stated about the occurrence. He further deposed that quarrel took place in between children. He deposed that at the time of incident, mud had accumulated near the hand pump at place of occurrence. He further deposed that at the place of occurrence huge crowd were assembled and due to scuffle his and Zameena Khatoon's leg slipped, due to which they got injury. He further deposed that no one assaulted him. He did not see any accused abusing him. He further deposed that Darogaji did not read the farad beyan to

7

him nor he ever got the opportunity to read the farad beyan. He put his thumb impression over it on the instigation of Darogaji. The accused persons are his deydad, so he knows them.

**PW-5 Shakila Begum** has stated in her examination-in-chief that informant Zamina Khatoon is his cousin daughter-in-law. The occurrence took place about two years ago. She heard that Md. Naushad, Md. Manzur, Md. Ashraf, Md. Aslma, Md. Daud, Shabana Khatoon, Nazma Khatoon, Khaita Khatoon were abusing and quarreling with Zamina Khatoon. She went to save her then accused persons also quarreled with her. She further deposed that in the quarrel Zamina Khatoon became injured. She deposed that farad beyan of Zamina Khatoon were recorded in the hospital and she also put her thumb impression thereon. This witness has identifies accused Md. Manzoor and also claims to identify other accused person, who are not present in the court.

In her cross examination she deposed that she has not seen the occurrence from her own eye. She heard about the occurrence, but she has not remember the name of person, who stated about the occurrence. She further deposed that quarrel took place in between children. She deposed that at the time of incident, mud had accumulated near the hand pump at place of occurrence. She further deposed that at the place of occurrence huge crowd were assembled and due to scuffle her and Zameena Khaton's leg slipped, due to which they got injury. She further deposed that no one assaulted her. She did not see any accused abusing her. She further deposed that Darogaji did not read the farad beyan to her nor she ever got the opportunity to read the farad beyan. She put her thumb impression over it on the instigation of Darogaji. The accused persons are her deydad, so she knows them.

**P.W.-06 Ram Pukar Yadav** has stated in his examination-in-chief that he identifies writing and signature of S.I. Ashish Raj, who was posted in the year 2023 as SHO, Bahadurpur police station. He identifies formal FIR of Bahadurpur PS Case No. 401 of 2023 in the writing of Signature of Ashish Raj, which is marked as Ext. P-2. He also identifies endorsement made by Ashish Raj on the farad beyan of informant Zameena Khatoon, which is marked as Ext. P-03. He also identifies charge sheet bearing C.S.No.385/2024

8

in the writing and signature of S.I. Akirti Kumari, which is marked as Ext. P-04. He also identifies writing and signature of Dr. Amit Kumar, who was posted in DMCH in the year 2023. He identifies injury report of injured Zamina Khatoon, Md. Islam and Shakila Khatoon in the writing and signature of Dr. Amit Kumar, which are marked as Ext.P-05, Ext.P-06 and Ext. P-07 respectively.

In his cross examination he deposed that S.I. Ashish Ram, Akirtir Kumari and Dr. Amit Kumar have not prepared these exhibits in his presence and he has no occasion to work with them. He has no knowledge these officials are alive or not and he has also no knowledge about their recent posting.

9. After perusal of evidence of prosecution it appears that the informant PW.-3 Zameena Khatoon, herself has supported the prosecution case up to some extent. She deposed in her cross examination that the quarrel took place in between children. She deposed that at the time of incident, mud had accumulated near the hand pump at place of occurrence and at the place of occurrence, huge crowd were assembled and due to scuffle she, Islam and Shakila Khatoon's leg were slipped, due to which they got injury. She further deposed that neither of the accused assaulted them nor did she saw any of the accused abusing them. She further deposed that Darogaji did not read the farad beyan to her nor she ever got the opportunity to read the farad beyan. She signed over it on the instigation of Darogaji. The accused persons are her neighbors, so she knows them. Similarly PW-4 ( Md. Islam) and PW-5( Shakila Begum) have stated that they heard about the occurrence and they have not seen the occurrence from their own eye. They have not remember the name of person, who stated about the occurrence to them. They stated that their leg were slipped, so they got injury. No body abused and assaulted them. P.W.-1 ( Md. Zakir) and P.W.-2 (Md. Jahangir) have also stated that they heard about the occurrence and they have not seen the occurrence from their own eye. They have not remember the name of person, who stated about the occurrence to them. P.W-6 is a formal witness and he has no knowledge about the contents of exhibited document. The Doctor & I.O. has not been examined by the prosecution. Considering the above facts and circumstances of the case, it appears that prosecution has totally failed in proving his case and as such

9

accused persons are liable to be acquitted.

In view of the aforesaid facts, circumstances and discussions and after hearing the argument, this court comes to the considered conclusion that the prosecution failed in establishing the guilt of accused person namely Md. Naushad, Md. Manjur, Md. Asraf, Md. Aslam, Md. Daud, Sabana Khatoon, Nazma Khatoon and Kaitoon Khatoon @ Bibi Khatoon for offence under sections 341/34, 308/34 and 324/34 of the IPC. The accused person named above are **acquitted** from the charge levelled u/s 341/34, 308/34 and 324/34 of the IPC. The accused persons are on bail and therefore the accused persons and their bailors are directed to be released of the obligation of their respective bail bonds so submitted by them before this court.

Dictated and corrected by me

(Shiv Gopal Mishra)

Sessions Judge,  
Darbhanga.  
12-03-2026

(Shiv Gopal Mishra)

Sessions Judge,  
Darbhanga.  
12-03-2026.

**FORM C LIST OF PROSECUTION / DEFENCE / COURT WITNESS**

**A. Prosecution**

RANK	NAME	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
PW1	Md. Zakir	Other witness
PW2	Md. Jahangir	Other witnesses
PW3	Zamina Khatoon	Informant
PW4	Md. Islam	Other witness
PW 5	Shakila Begum	Other witness
PW 6	Ram Pukar Yadav	Formal witness

**B. Defence Witness, if any:**

10

RANK	NAME	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
-	NIL	NIL

**C. Court Witness, if any:**

RANK	NAME	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
-	NIL	NIL

Sessions Judge,  
Darbhanga.  
12-03-2026.

**LIST OF PROSECUTION / DEFENCE / COURT EXHIBITS****A. Prosecution:**

Sr. No.	Exhibit Number	Description
1.	Ext. P-1/PW-3	Signature of informant Jameena Khatoon on the farad beyan of the informant.
2.	Ext. P-2/PW-6	Formal FIR.
3.	Ext. P-3/PW-6	Endorsement made on the farad beyan of the informant.
4.	Ext. P-4/PW-6	Charge sheet
5.	Ext. P-5/PW-6	Injury report of injured Zamina Khatoon.
6.	Ext.P-6/PW-6	Injury report of injured Md. Islam
7.	Ext.P-7/PW-6	Injury report of injured Shakila Khatoon

**B. Defence:**

**Page No. 11**  
**Court of Sessions Judge, Darbhanga.**  
**Present :- Shri Shiv Gopal Mishra, Sessions Judge, Darbhanga,**  
**S.T. No. 21/2026 (State Versus Md. Naushad & Ors.)**

11

Sr. No.	Exhibit Number	Description
1	NIL	NIL

**C. Court Exhibits:**

Sr. No.	Exhibit Number	Description
1	NIL	NIL

**D. Material Objects:**

Sr. No.	Material Object Number	Description
1	NIL	NIL

Sessions Judge,  
Darbhanga.  
12-03-2026.