

IN THE COURT OF Ms. ANKITA
JUDICIAL MAGISTRATE FIRST CLASS- I
BIRAU, DARBHANGA

CRI. Case No. 275/2024 (G.R. Case No. – 500/2013)

State of Bihar (through Kamal Ram) v. Dukhan Mukhiya and ors.

ORDER

Date of Order	Order with signature of the Court	Remarks
09.03.2026	<p>Case is called out. Neither the informant nor the Ld. SDPO for the state is present before the court. All the six accused persons namely 1. Dukhan Mukhiya, 2. Shambhu Mukhiya, 3. Nand Mukhiya, 4. Sanjay Mukhiya, 5. Ajay Mukhiya and 6. Tarakant Mukhiya are in attendance in the court along with their ld. counsel. Their ld. counsel has prayed for discharge of all the accused persons on the ground of no evidence present against them on record.</p> <p>Heard the ld. counsel on behalf of the accused persons. It was submitted that prosecution did not produce any evidence even after sufficient opportunity being granted since the substance of accusation was explained to the aforesaid accused persons u/S. 323 and 504 of IPC on 12.02.2024 and therefore the prosecution evidence was closed vide order dated 03.02.2026 and since no material is available on the record against accused petitioners, hence prayed to discharge.</p> <p>Perused the case record. On perusal, it transpires that cognizance has been taken against the aforesaid accused persons on 25.09.2013 u/S. 341, 323, and 504 read with S. 34 of IPC and S. 3 (1) (x) , (xi) of SC/ST Act. Later vide order dated 10.10.2022 from the court of Exclusive SC/ST (POA) Act-cum-3rd Additional Sessions Judge, Darbhanga, the petition filed under S. 227 Cr.P.C was partially allowed stating that sufficient material is available for framing the charges under S. 323 and 504 of IPC, 1860. Hence, in the light of the said order, the substance of accusation was explained to the aforesaid accused persons</p>	

u/S. 323 and 504 of IPC on 12.02.2024 and therefore the prosecution evidence was closed vide order dated 20.01.2026.

Despite giving several opportunities, the prosecution failed to adduce any evidence resulting in lingering of this case and hampering the interests of the other party.

Therefore, after considering the aforesaid facts & circumstances since no evidence has been produced by the prosecution in support of its case, the six accused persons namely **1. Dukhan Mukhiya, 2. Shambhu Mukhiya, 3. Nand Mukhiya, 4. Sanjay Mukhiya, 5. Ajay Mukhiya** and **6. Tarakant Mukhiya** are hereby acquitted on the ground of no evidence present against them. The bailors are also discharged from the liabilities of their bail bonds.

The Office Clerk is directed to deposit the case record to the Record Room within the stipulated time period, after following all the procedural formalities.

Ankita
09.03.2026

JMFC-I.

Biraul, Darbhanga