

FORM-A

IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE, JAMUI Present: Sandip Singh, Principal District & Sessions Judge, Jamui (Date of the Judgment: 25th March, 2026) (S.T. No. 37 of 2022) (Reg. No. 37/2022) (C.N.R. No. BRJA01-000293-2022) (Details of F.I.R. / Crime and Police Station: Khaira P.S. Case No. 378/2017)	
Complainant/Informant	STATE OF BIHAR through Sudhir Kumar Yadav, Informant
REPRESENTED BY	Sri. Dhiraj Kumar Singh, P.P.
ACCUSED	1. Narendra Kumar Yadav S/o Bangali Yadav aged about 46 years. 2. Ajit Kumar S/o Bangali Yadav aged about 22 years. 3. Sangeeta Devi W/o Narendra Kumar Yadav aged about 49 years. All R/o Village- Deopur, P. S.- Khaira, Dist.- Jamui.
REPRESENTED BY	Sri. Bimal Yadav, Advocate

J U D G M E N T

1. The above named accused persons are facing trial for the offence punishable under sections 341/34, 323/34, 325/34, 307/34 and 504/34 of the I.P.C.
2. The prosecution case in short is that the informant Sudhir Kumar Yadav lodged the instant case by way of submitting a written application before the S.H.O. of Khaira Police Station, alleging therein that on 28.11.2017 at 7:00 p.m. when the informant was sitting at his house, then in the mean time, total three named accused persons namely Narendra Kumar Yadav, Sangeeta Devi and Ajit Kumar came there and started abusing him and further they complained as to why the informant drive his tractor through his field, whereby, the crops of the accused persons damaged. It is further alleged that when the informant protested, then the accused Narendra Kumar Yadav struck on the head of the informant by stick and thereafter his wife Sangeeta Devi and son Ajit Kumar assaulted on the person of informant by stick, whereby, the hand of informant got fractured. Hence, on the basis of aforesaid information, the Khaira P.S. Case No. 378/2017 is registered.
3. After investigation of the case, charge sheet was submitted against three accused persons namely 1. Narendra Yadav, 2. Ajit Yadav and 3. Sangeeta Devi U/s. 341, 323, 325, 307, 504 and 34 of the I.P.C. The learned court below has also taken cognizance of the offence U/s. 341, 325, 323, 307, 504 and 34 of the I.P.C. vide order dated 25.09.2018/12.10.2018, and thereafter, the case was committed to the Court of Sessions on 28.01.2022 by the learned court below. After commitment, the record was received in this court, and pursuant thereof, after hearing both parties on the point of charge, the charges were framed U/s 341/34, 323/34, 325/34, 307/34 and 504/34 of the I.P.C. and the same were read over and explained to the accused persons in Hindi, to which, they pleaded not

guilty and claimed to be tried. Pursuant thereof, the prosecution has examined three witnesses in support of its case and finally on 13.03.2026, the prosecution evidence was closed, and thereafter on 19.03.2026, the statements of above named accused persons were recorded U/s. 313 Cr.P.C., in which, they totally denied the prosecution version and claimed themselves as innocent. Further on the basis of petition dated 23.03.2026 filed on behalf of the learned defence counsel, defence evidence was also closed and the record was placed for argument.

4. Now the main point for consideration in this case is whether the prosecution has been able to prove the charges levelled against the accused persons beyond the shadow of all reasonable doubts or not? And whether the accused persons are guilty or not?

FINDINGS

5. In course of trial, the prosecution has examined altogether three witnesses i.e. P.W. 1. Sudhir Kumar @ Sudhir Kumar Yadav, P.W. 2. Bangali Yadav and P.W. 3. Ganesh Yadav. Besides oral evidence, the prosecution has also proved the signature of informant (P.W. 1) on written application, which has been marked as Exhibit P-1. However, the defence has neither adduced any oral evidence nor produced any documentary evidence.

06. **P.W. 1. is Sudhir Kumar @ Sudhir Kumar Yadav**, who happened to be informant in this case and stated that the occurrence took place in the evening at 5:00 p.m., at that time, he was present in his house, then at the same time, all the three accused persons came there and started quarreling with him, in which, he got injured, and thereafter, treated in Primary Health Center, Khaira. He further stated that he has filed a written application, which was written by some body else and submitted before the Police Station after signing on the written application. He further identified his signature on the written application, which has been marked as Exhibit P-1 in this case.

In the cross-examination, the informant categorically stated that due to some dispute regarding water, there was some minor scuffle between the parties, in which, he fell down.

07. **P.W. 2. is Bangali Yadav**, who happened to be father of the informant and he became hostile on the request of the prosecution as he has not supported the prosecution case.

08. **P.W. 3. Ganesh Yadav** has been declared hostile on the request of the prosecution as he has not supported the prosecution case.

09. After having gone through the documents and materials available on record, I find that the present case has been filed by the informant against the accused persons, alleging therein that on the alleged date of occurrence when the informant was sitting at his house, then in the mean time, the F.I.R. named all three accused persons came there and started

abusing him and they complained as to why the informant passes his tractor through his field, whereby, the crops of the accused persons damaged, and when the informant protested for that, then the accused Narendra Kumar Yadav struck on the head of the informant by stick and thereafter his wife Sangeeta Devi and son Ajit Kumar assaulted on the person of informant, whereby, the informant injured.

10. From perusal of the record, I find that after institution of the case, the police started investigation into the matter, and finally, the police has submitted charge sheet, and accordingly, the court below taken cognizance into the matter and committed the case to the Court of Sessions. Pursuant thereof, the records were received in this court, and accordingly, charges were framed. I find that in course of trial, the prosecution side has examined three witnesses. From perusal of the evidences of these witnesses, it is found that P.W. 2 and P.W. 3 became hostile as they have not supported the prosecution case. However, P.W. 1. Sudhir Kumar @ Sudhir Kumar Yadav, informant has supported the prosecution case. Further, P.W. 1. informant stated that he has filed a written application, which was written by some body else and submitted before the Police Station after signing on the written application. He further identified his signature on the written application, which has been marked as Exhibit P-1 in this case but in the cross-examination, the informant categorically stated that due to some dispute regarding water, there was some minor scuffle between the parties, in which, he fell down.

11. Hence, in such circumstances, it appears that the prosecution has miserably failed to prove the guilt of the accused persons beyond the shadow of all reasonable doubts and under this circumstances, the accused persons are liable to be acquitted.

12. Accordingly, accused persons namely **1. Narendra Kumar Yadav, 2. Ajit Kumar and 3. Sangeeta Devi** are acquitted from the charges of the offence punishable under Sections **341/34, 323/34, 325/34, 307/34 and 504/34 of the I.P.C.** after giving them benefit of doubts. Accused persons are on bail, hence their bailors and sureties are discharged from the liabilities of their respective bail bonds.

(Dictated)

Principal District & Sessions Judge, Jamui.

Dictated and corrected by me

Sandip Singh
Principal District & Sessions Judge, Jamui

FORM B

Date of Offence	28.11.2017
Date of FIR	29.11.2017
Date of Chargesheet	28.07.2018
Date of Framing of Charges	02.06.2022
Date of Commencement of evidence	22.02.2024
Date on which judgment is reserved	24.03.2026
Date of the judgment	25.03.2026
Date of the sentencing Order, if any	Not applicable

Accused Details

Rank of the accused	Name of Accused	Date of Arrest	Date of Release on Bail	Offences Charged with	Whether Acquitted or Convicted	Sentence Imposed	Period of Detention Undergone during Trial for purpose of section 428 Cr.P.C.
1	Narendra Kumar Yadav	30.11.2017	01.12.2017	U/s. 341/34, 323/34, 325/34, 307/34 and 504/34 of the I.P.C.	Acquitted	x	x
2	Ajit Kumar	x	x	U/s. 341/34, 323/34, 325/34, 307/34 and 504/34 of the I.P.C.	Acquitted	x	x
3	Sangeeta Devi	30.11.2017	01.12.2017	U/s. 341/34, 323/34, 325/34, 307/34 and 504/34 of the I.P.C.	Acquitted	x	x

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)
PW1	Sudhir Kumar @ Sudhir Kumar Yadav	EYE WITNESS
PW2	Bangali Yadav	OTHER WITNESS
PW3	Ganesh Yadav	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	NO	NO
DW2	NO	NO

C. Court Witnesses, if any:

RANK	NAME	NATURE OF EVIDENCE
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		(EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
CW1	NO	NO
CW2	NO	NO

LIST OF PROSECUTION/DEFENCE/COURT EXHIBITS

A. Prosecution

Sr. No.	Exhibit Number	Description
1	Exhibit P-1	Signature of informant Sudhir Kumar @ Sudhir Kumar Yadav on written application
2	Exhibit P-2/PW2	NO

B. Defence:

Sr. No.	Exhibit Number	Description
1	Exhibit D-1/DW1	NO
2	Exhibit D-2/DW2	NO

C. Court Exhibits

Sr. No.	Exhibit Number	Description
1	Exhibit C-1/CW1	NO
2	Exhibit C-2/CW2	NO

D. Material Objects:

Sr. No.	Material Object Number	Description
1	MO1	NO
2	MO2	NO