

FORM-A

<u>IN THE COURT OF ADDITIONAL SESSIONS JUDGE-VI, JAMUI</u> Present: <u>Manoranjan Kumar Jha, A.S.J.-VI</u> Date of Judgement : 22.05.2026 SESSIONS TRIAL No. 269/2026 CNR No.- BRJA01-002779-2026 Chakai P.S. Case No.- 64/2020 U/s- 341/34, 323/34, 307/34, 354/34, 504/34, 506/34 of IPC	
Complainant/ Informant	Khushboo Parveen
Represented by	Sri Chigu Ravidas, Ld. Addl. P.P.
Accused	1. Md. Hakkimuddin 2. Yunus Miya @ Unus Miya 3. Najma Khatoon 4. Aisho Parveen @ Aisha Parveen 5. Md. Shahabuddin and 6. Manjoor Alam
Represented by	Sri P.N. Singh, Ld. Advocate

FORM-B

Date of offence	06.04.2020
Date of FIR	06.04.2020
Date of Charge Sheet	28.11.2020
Date of framing of charges	16.05.2026
Date of commencement of evidence	21.05.2026
Date of Judgement	22.05.2026
Date of the sentencing order, if any	N.A.

ACCUSED DETAILS

Rank of the Accused	Name of Accused	Date of Arrest	Date of Release on Bail	Offences Charged with u/s	Whether Acquitted or convicted	Sentence Imposed	Period of Detention Undergone during Trial for purpose of section 428, Cr.P.C.
01.	Md. Hakkimuddin			U/s- 341/34, 323/34, 307/34, 354/34, 504/34, 506/34 of IPC	Acquitted	N.A.	N.A.

02.	Yunus Miya @ Unus Miya		U/s- 341/34, 323/34, 307/34, 354/34, 504/34, 506/34 of IPC	Acquitte d	N.A.	N.A.
03.	Najma Khatoon		U/s- 341/34, 323/34, 307/34, 354/34, 504/34, 506/34 of IPC	Acquitte d	N.A.	N.A.
04.	Aisho Parveen @ Aisha Parveen		U/s- 341/34, 323/34, 307/34, 354/34, 504/34, 506/34 of IPC	Acquitte d	N.A.	N.A.
05.	Md. Shahabuddin		U/s- 341/34, 323/34, 307/34, 354/34, 504/34, 506/34 of IPC	Acquitte d	N.A.	N.A.
06.	Manjoor Alam		U/s- 341/34, 323/34, 307/34, 354/34, 504/34, 506/34 of IPC	Acquitte d	N.A.	N.A.

FORM-C**LIST OF PROSECUTION / DEFENCE / COURT WITNESSES****A- Prosecution**

RANK	NAME	NATURE OF EVIDENCE
PW-1	Khushboo Khatoon	Prosecution witness
PW-2	Mumtazuddin	Prosecution witness

B- Defence witness -Nil**C- Court Witness** -Nil

LIST OF PROSECUTION/ DEFENCE/COURT EXHIBITS
A- Prosecution Exhibit-

Sl. No.	Exhibit No.	Type of Exhibit
1.	P-1/PW-1	Signature on written petition.

B- Defence Exhibit -Nil

J U D G E M E N T

- The accused persons, namely, **1. Md. Hakkimuddin 2. Yunus Miya @ Unus Miya 3. Najma Khatoon 4. Aisho Parveen @ Aisha Parveen 5. Md. Shahabuddin and 6. Manjoor Alam** are facing trial for the offence punishable under sections **341/34, 323/34, 307/34, 354/34, 504/34, 506/34 of IPC**. The charges have been read over and explained to the accused persons in Hindi to which they did not plead guilty and claimed to be tried.
- The prosecution case, in brevity, is that on 06.04.2020 at about 06:00 a.m., when the informant-Khushboo Kumari cleaning drain then suddenly accused-Md. Hakkimuddin came there and started abusing her and when she protested then all the accused persons namely 1. Md. Hakkimuddin 2. Yunus Miya @ Unus Miya 3. Najma Khatoon 4. Aisho Parveen @ Aisha Parveen 5. Md. Shahabuddin and 6. Manjoor Alam entered into her house and abused and assaulted her and when the family member of the informant came to save, the accused even assaulted them.
- On the basis of written report, a case being Chakai P.S. Case No.- 64/2020, dated 06.04.2020 was registered under Sections **341/34, 323/34, 307/34, 354/34, 504/34, 506/34 of IPC** against the accused. After completion of investigation police submitted charge-sheet u/ss- **341/34, 323/34, 354/34, 504/34, 506/34 of IPC** against the accused persons namely **1. Md. Hakkimuddin 2. Yunus Miya @ Unus Miya 3. Najma Khatoon 4. Aisho Parveen @ Aisha Parveen 5. Md. Shahabuddin and 6. Manjoor Alam** thereupon the Ld. Court below has taken cognizance u/ss- **341/34, 323/34, 307/34, 354/34, 504/34, 506/34 of IPC** on dated 17.12.2025.
- Charges under Sections **341/34, 323/34, 307/34, 354/34, 504/34, 506/34 of IPC** were framed on 16.05.2026 against the accused to which they pleaded not guilty and claimed trial by the Court.
- Defence is denial of allegation and of false implication at the instigation of the informant party.
- Now, the only question for determination is whether prosecution has been able to establish the charges levelled against the accused persons beyond the shadow of all reasonable doubt?

FINDINGS

7. In the instant Case, in support of its case, the prosecution has produced altogether **two** witnesses namely Khushboo and Mumtazuddin and signature of informant on written petition was marked as P-1/PW-1.

Whereas the defence neither adduced any oral or documentary evidence.

8. **P.W. 1-Khushboo Khatoon**, during her examination-in-Chief, stated that she has filed this case and further stated that due to domestic issue, there was assault done by several persons.

In her cross-examinations, the witness admitted that the accused are her relative and she has voluntarily compromised the case with them. She further deposed that she had not seen anyone committing assault.

9. **P.W. 2-Mumtazuddin** during his examination-in-Chief, deposed that the alleged occurrence took place 5-6 years back due to family dispute.

In his cross-examinations, the witness admitted that parties have voluntarily compromised the case and none had assaulted him and he had also not seen anyone assaulting to his family member.

Analysis of Evidence

10. **Learned counsel for the accused persons** submits that this is a case of virtually no evidence against the accused person inasmuch as none of the witnesses have supported the case of the prosecution in any manner. Further submitted that the victim/informant have not supported case of the prosecution as both the witnesses had not seen anyone committing assault. Further, the prosecution has even failed to examine I.O./Doctor and as such neither injuries were proved before the court nor the content of FIR was proved. Therefore, it is submitted that the prosecution has failed to establish its case beyond any shadow of doubt.
11. Ld. P.P. for the state submitted that the witnesses have supported the case and there is ample evidence on record which establishes that the accused had committed the offence.
12. The court has gone through the record. In support of its case, the prosecution has examined only 02 witnesses. It further reflects that though both the witnesses supported the alleged occurrence but none had seen anyone committing assault to them and as such these witnesses failed to support the case of the prosecution. Further, the prosecution had failed to examine I.O. and Doctor of this case so as to establish the P.O., the FIR and the medical reports.
13. It is settled law that "the prosecution must prove its case beyond reasonable doubt and cannot derive strength from weakness of defence."
14. Considering the evidence in its entirety and bearing in mind the principles that the prosecution is duty bound to establish its case by way of oral and documentary evidence and in the case in hand where the prosecution has failed to brought on

record any credible piece of evidence and as such and in absence of any reliable / corroborative evidence, the court is of the opinion that the prosecution has miserably failed to establish the case beyond shadow of any doubt.

15. Consequently, the prosecution has, therefore, failed to prove the charges against accused persons namely, **1. Md. Hakkimuddin 2. Yunus Miya @ Unus Miya 3. Najma Khatoon 4. Aisho Parveen @ Aisha Parveen 5. Md. Shahabuddin and 6. Manjoor Alam** beyond reasonable doubt.

ORDER

16. In view of the above, this court is of the opinion that the prosecution has failed to establish the offences u/s **341/34, 323/34, 307/34, 354/34, 504/34, 506/34 of I.P.C.** against the accused persons namely, **1. Md. Hakkimuddin 2. Yunus Miya @ Unus Miya 3. Najma Khatoon 4. Aisho Parveen @ Aisha Parveen 5. Md. Shahabuddin and 6. Manjoor Alam.** Accordingly, the accused persons are acquitted from the charges labeled against them and set at liberty forthwith.

A copy of this judgment be sent to District Magistrate, Jamui.

A free copy of the judgment be furnished.

Given under the hand and seal of this Court.

This judgment has been corrected, signed and pronounced by me on 22nd of May, 2026 in open court.

Dictated

**(Sri Manoranjan Kumar Jha)
Addl. Sessions Judge-VIth
Jamui
Dated- 22nd May, 2026**

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Addl. Sessions Judge-VIth
Jamui
Dated- 22nd May, 2026**