

FORM-A

IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE, JAMUI Present: Sandip Singh, Principal District & Sessions Judge, Jamui (Date of the Judgment: 6th June, 2026) (S.T. No. 730 of 2022) (Reg. No. 730/2022) (C.N.R. No. BRJA01-006545-2022) (Details of F.I.R. / Crime and Police Station: Khaira P.S. Case No. 390/2021)	
Complainant/Informant	STATE OF BIHAR through Anup Kumar Das, Informant
REPRESENTED BY	Sri. Dhiraj Kumar Singh, P.P.
ACCUSED	1. Bipin Kumar Tanti S/o Mahesh Tanti aged about 27 years. 2. Ravindra Tanti S/o Baigan Tanti @ Krishna Tanti aged about 31 years. 3. Tuni Tanti @ Shivendra Kumar S/o Krishna Tanti aged about 32 years. All R/o Village- Gopalpur, P. S.- Khaira, Dist.-Jamui.
REPRESENTED BY	Sri. Shiv Kumar Tanti, Advocate

J U D G M E N T

1. The above named accused persons are facing trial for the offence punishable under sections 323/34, 341/34, 307/34 and 504/34 of the I.P.C.
2. The prosecution case in short is that the informant Anup Kumar Das lodged the instant case by way of submitting a written application before the S.H.O. of Khaira Police Station, alleging therein that 23.10.2021 while he reached near Memorial Site situated at Khaira Gopalpur Road, then the three accused persons ambushed and attacked on the informant having arm with iron rod and further on the instigation of Ravindra Kumar Tanti and Tunni Tanti, the another accused Bipin Tanti struck on his head by iron rod, consequently, he got injury over there, thereafter, the other accused persons namely Ravindra Kumar Tanti and Tunni Tanti also assaulted him by iron rod. The informant was rescued by his family members, who came at the place of occurrence after hearing the noise. Hence, on the basis of aforesaid information, the Khaira P.S. Case No. 390/2021 is registered.
3. After investigation of the case, charge sheet was submitted against three accused persons namely 1. Bipin Kumar Tanti, 2. Tunni Tanti and 3. Ravindra Kumar Tanti U/s. 341, 323, 307, 504, 34 of the I.P.C. The learned court below has also taken cognizance of the offence U/s. 341, 323, 307, 504, 34 of the I.P.C. vide order dated 22.01.2022, and thereafter, the case was committed to the Court of Sessions on 24.11.2022 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 323/34, 341/34, 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 two witnesses in support of its case and finally on 16.05.2026, the prosecution evidence was closed, and thereafter on 23.05.2026, 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 23.05.2026 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 two witnesses i.e. P.W. 1. Mahendra Das and P.W. 2. Anup Kumar Das. Besides oral evidence, the prosecution has also proved the signature of informant on written application, which has been marked as Exhibit P-1/P.W.-2. However, the defence has neither adduced any oral evidence nor produced any documentary evidence.

06. **P.W. 1. is Mahendra Das**, who happened to be father of informant and he stated that the occurrence took place on 23.10.2021 in the evening at 5:00 p.m., at that time, he was at his shop, then he got information that his son was injured and lying near the Memorial Site. Thereafter, he rushed to the place of occurrence and brought his son to the hospital but he does not know who assaulted his son. He further stated that there were injuries on the hands and legs of his son. He further stated that he had not approached to the police station but there was huge crowd on the place of occurrence and person of those crowd had written application and submitted before the police station.

On the other hand, in the cross-examination, he stated that the accused persons are happened to be co-villager, therefore, he identified them.

07. **P.W. 2. is Anup Kumar Das**, who happened to be informant of this case and he stated that the occurrence took place on 23.10.2021 at 5:00 p.m., at that time, he was near the Memorial Site at Gopalpur and at the same place, the accused persons were present to whom there was some verbal altercation and he fell down and got injured on his head. He further stated that the co-villagers brought him to

the doctor as he was senseless and he was treated at Khaira Hospital. He further stated that he submitted a written application before the police station, which was written by some body else and he only made his signature upon that and he further identified his signature on the written application and the same is marked as Exhibit P-1/P.W.-2 in this case.

In the cross-examination, he categorically stated that the accused persons have not assaulted him and they are happened to be his co-villagers.

08. 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 reached near Memorial Site situated at Khaira Gopalpur Road, then the three accused persons ambushed and attacked on him, having arm with iron rod and further on the instigation of Ravindra Kumar Tanti and Tunni Tanti, the another accused Bipin Tanti struck on his head by iron rod, consequently, he got injury over there, thereafter, the other accused persons namely Ravindra Kumar Tanti and Tunni Tanti also assaulted by iron rod.

09. 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 took 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 two witnesses. From perusal of the evidences of these witnesses, it is found that both the witnesses have supported the prosecution case. but, P.W. 2. (informant) stated that he submitted a written application before the police station, which was written by some body else and he only made his signature upon that and he further identified his signature on the written application and the same is marked as Exhibit P-1/P.W.-2 in this case but in their cross-examination, P.W. 1. stated that the accused persons are happened to be co-villager, therefore, he identified them and P.W. 2. (informant) categorically stated that the accused persons have not assaulted him and they are happened to be his co-villagers.

10. 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.

11. Accordingly, accused persons namely **1. Bipin Kumar Tanti, 2. Ravindra Tanti and 3. Tuni Tanti @ Shivendra Kumar** are acquitted from the charges of the offence punishable under Sections **323/34, 341/34, 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	23.10.2021
Date of FIR	25.10.2021
Date of Chargesheet	31.12.2021
Date of Framing of Charges	25.05.2023
Date of Commencement of evidence	13.11.2025
Date on which judgment is reserved	27.05.2026
Date of the judgment	06.06.2026
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	Bipin Kumar Tanti	x	x	U/s. 323/34, 341/34, 307/34 and 504/34 of the I.P.C.	Acquitted	x	x
2	Ravindra Tanti	x	x	U/s. 323/34, 341/34, 307/34 and 504/34 of the I.P.C.	Acquitted	x	x
3	Tuni Tanti @ Shivendra Kumar	31.10.2021	16.11.2021	U/s. 323/34, 341/34, 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	Mahendra Das	OTHER WITNESS
PW2	Anup Kumar Das	EYE 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 (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
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CW1	NO	NO
CW2	NO	NO

LIST OF PROSECUTION/DEFENCE/COURT EXHIBITS

A. Prosecution

Sr. No.	Exhibit Number	Description
1	Exhibit P-1/PW2	Signature of informant 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