

(Sessions Trial No. 110 of 2023)
In the court of Sri Sanjay Kumar Sinha-II, DAJ-II, Jehanabad

District: Jehanabad

In

The Court of District & Additional Sessions Judge-II, Jehanabad

Present:-

Sanjay Kumar Sinha-II
Dist & Addl. Sessions Judge-II,
Jehanabad

Sessions Trial No- 110 of 2023

CIS Registration No- 321/2016

Makhdumpur(Tehta OP) PS Case No. 71/2016

OK
29.06.2026
Dated, Jehanabad the 29th day of June, 2026

(1) State through Jyoti Kumari Basu Incharge Tehta OP, Makhdumpur Tehta Police
Station, Dist. JehanabadProsecution

Vs

Munna Kumar, aged about 38 years, S/o Rajendra Yadav,
Baijnath Kumar, aged about 26 years, S/o Surendra Yadav,

Both R/o Vill Dewariya, PS + Dist Jehanabad

.....Accused Persons

(This case was committed to the court of sessions passed by the court of Addl. Chief
Judicial Magistrate-IIIrd, Jehanabad arising out of Makhdumpur(Tehta OP) PS Case No.
71/2016, Gr. No. 432 of 2016 Cognizance under Sections 413 and 414/34 of the IPC.)

Charge Framed under Sections:- 413 and 414/34 of the IPC.

Counsel for the Prosecution:- Md. Afaque Alam,.....Ld. A.P.P.

Counsel for the Defence:- Mrs Kiran Kumari,.....Ld. Adv.

J U D G M E N T

1. The accused-persons, namely, Munna Kumar, aged about 38 years, S/o Rajendra Yadav and Baijnath Kumar, aged about 26 years, S/o Surendra Yadav, both R/o Vill Dewariya, PS + Dist. Jehanabad has been charged in this case for the offence punishable under Section 413, 414/34 of the IPC.

2. The prosecution case in brief is that as per written application of informant ASI Jyoti Kumar Basu on dt. 19.03.2016 alleging therein that at Imaliya more where he saw two boys on a motorcycle and on suspicious ground both were searched and both have been caught hold who disclosed their name as Munna Kumar and Baijnath Kumar of Dewariya, Jehanabad and also told about one Chenga Yadav who is in Tehta market on Alto Vehicle has also been caught hold with Alto vehicle. Further he stated that from their possession Alto car and Motorcycle were found of stolen property. Accordingly, the FIR has been registered.

29.06.2028



3. On the basis of the written report of the informant Jyoti Kumari Basu, Makhdumpur (Tehta OP) PS Case No. 71 of 2016 was registered for the offences punishable under Sections 413 and 414/34 of the IPC against the above named accused persons, pursuant to which, investigation commenced and after completion of investigation, the IO submitted Charge Sheet bearing No. 21 of 2016 dated 26.11.2016, for the offences punishable under Sections 413 and 414/34 of the IPC against the above mentioned accused-persons to which cognizance was also taken by the Id. Court below for the offences punishable under Sections 413 and 414/34 of the IPC and thereafter the case record was committed to the Court of Sessions from where the case was ultimately transferred to this Court for trial and disposal.

4. On appearance of the accused-person, Charge has been framed for offences under Sections 413 and 414/34 of the IPC, by the Court of Sessions and the charge has been read over and explained to him in Hindi to which they denied the allegations and claimed to be tried.

5. To ensure the presence of witnesses by the court fixed for the demand of trial summons, bailable warrant, non-bailable warrant were issued on different dates. Moreover, prosecution has failed to produce the prosecution any witnesses as a result of which the prosecution evidence was closed on 24.06.2026. The case is more than ten years old and there is no any evidence against the accused-persons.

Hence, considering the facts and circumstances of the case, it appears that the prosecution has miserably failed to substantiate the charges against the accused-persons in the present case and it has become a case of no evidence as such the accused-persons deserves to be acquitted. Accordingly, the accused-persons, namely, **Munna Kumar and Baijnath Kumar** are hereby **acquitted** of the charges u/s 413 and 414/34 of I.P.C. The above named accused-persons are on bail, they and their bailors are also discharged from the liabilities of their respective bail bonds.

(Dictated)

Sf. Kumar SL

Addl. Sessions Judge-II
Jehanabad
29.06.2026

(Dictated & Corrected).

Sf. Kumar SL,

Addl. Sessions Judge-II
Jehanabad
29.06.2026

