

IN THE COURT OF:- SESSIONS JUDGE, JEHANABAD
SESSIONS TRIAL NO. 202/2026

State of Bihar Vs. Golu Kumar and others

PRESENT:- VIKAS KUMAR,
SESSIONS JUDGE, JEHANABAD.

FORM 'A'

<u>IN THE COURT OF :- SESSIONS JUDGE, JEHANABAD</u> PRESENT:- VIKAS KUMAR, SESSIONS JUDGE, JEHANABAD (DATE OF JUDGMENT : 10.07.2026) (SESSIONS TRIAL NO. 202/2026) (Arising out of Parasbigha P.S. Case no. 178/2021)	
Informant :-	The State of Bihar through–Satyendra Kumar, Son of Rambabu Kewat. R/o village-Pandui Bazar, P.S.-Parasbigha, Distt.-Jehanabad.
Represented by :-	Sri Shardanand Kumar, Ld. P.P.
Accused Persons :-	1. Lalbabu Kewat, aged about 59 years, Son of late Tota Kewat. 2. Golu Kumar, aged about 29 years, Son of Lal Babu Kewat. 3. Bharat Kewat @ Gautam Kumar, Son of Lal Babu Kewat. All R/o village-Pandui, P.S.-Parasbigha, Distt.-Jehanabad.
Represented by :-	Sri Surendra Kewat, Ld. Advocate for the defence.

FORM 'B'

Date of Offence :-	03.11.2021
Date of FIR :-	03.11.2021
Date of Charge-sheet :-	10.01.2023
Date of Cognizance:-	13.04.2023
Date of framing of Charges :-	16.04.2026
Date of commencement of Evidence	12.05.2026
Date on which Judgment is reserved :-	07.07.2026
Date of Judgment :-	10.07.2026
Date of the Sentencing Order, if any :-	NA

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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 of the Cr.P.C.
1.	Lalbabu Kewat	Granted bail on surrender	02.12.2021	U/Ss-341/34, 323/34, 504/34 and 308/34 I.P.C	Acquitted	NA	NA
2.	Golu Kumar	“	13.05.2022	“	Acquitted	NA	NA
3.	Bharat Kewat @ Gautam Kumar	30.08.2022	21.09.2022	“	Acquitted	NA	NA

FORM 'C'

LIST OF PROSECUTION / DEFENCE / COURT WITNESSES :-

A. Prosecution Witness :-

Rank	Name of Witness	Nature of Evidence
P.W.-1	Satyendra Kumar	Informant
P.W.-2	Gudiya Devi	Other witness
P.W.-3	Sunita Devi	Other witness

B. Defence Witness :-

Rank	Name of Witness	Nature of Evidence
NA	Not Applicable	Not Applicable

C. Court Witness :-

Rank	Name of Witness	Nature of Evidence
NA	Not Applicable	Not Applicable

LIST OF PROSECUTION / DEFENCE / COURT EXHIBITS :-

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A. Prosecution Exhibits :-

Sl. No.	Exhibit Number	Description
1.	Ext.-P1/P.W.-1	Signature of the informant on the written application.

B. Defence Exhibits :-

Sl. No.	Exhibit Number	Description
NA	Not Applicable	Not Applicable

C. Court Exhibits :-

Sl. No.	Exhibit Number	Description
NA	Not Applicable	Not Applicable

D. Material Objects / Exhibits :-

Sl. No.	Exhibit Number	Description
NA	Not Applicable	Not Applicable

JUDGMENT

1. The accused persons of this case namely 1. Lalbabu Kewat, 2. Golu Kumar and 3. Bharat Kewat @ Gautam Kumar stand charged and are facing trial for the offences punishable under sections 341/34, 323/34, 504/34 and 308/34 I.P.C in connection with Parasbigha P.S. Case No. 178/2021 instituted for the offence punishable under sections 341, 323, 308, 504/34 I.P.C.
2. The prosecution case as per the written application of the informant Satyendra Kumar filed before the S.H.O. of Parasbigha P.S. in brief is that on 01.11.2021 at 07:30 p.m when the informant was on way to his home after selling fish, in the meantime he went towards High School for call of nature where he met with Golu Kumar and some hot altercation occurred with him. Thereafter, he telephoned Bharat Gupta and his father and they started to abuse and assaulted the informant. It is further alleged that in course of Marpit, Bharat Kewat assaulted on the head of the informant due to which the informant sustained head injury and on Hulla, when the informant's mother came to save him, Bharat Kewat also assaulted on the leg of his

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mother. The informant was brought to hospital in unconscious state. Accordingly the F.I.R has been registered.

3. On the basis of the above-noted written application of the informant Parasbigha P.S. Case No. 178/2021 dated 03.11.2021 under sections 341, 323, 308 504/34 I.P.C. was registered against the above-named accused persons. After investigation, the I.O. of the case submitted charge-sheet no. 02/2023 dated 10.01.2023 U/Ss-341, 323, 308, 506/34 IPC against the above named accused persons. Vide order dated 13.04.2023, the learned J.M.F.C, Jehanabad Smt. Richa Kashyap, took cognizance of the offences under sections 341, 323, 308, 504/34 IPC against the accused persons and vide order dated 07.03.2026 the case was committed to the court of Sessions by the learned J.M.F.C, Jehanabad Sri Kumar Saurabh. Thereupon, Sessions Trial no. 202/2026 was registered against the above named accused persons. The charges as stated at the outset have been framed against the above-named accused persons on 16.04.2026. The charges have been read over and explained to the accused persons in Hindi, to which they have pleaded not guilty and claimed to be tried.
4. The defence case is simple denial of prosecution case and plea of innocence.
5. In order to prove its case the prosecution has examined three witnesses :-

P.W.-1	Satyendra Kumar	Informant
P.W.-2	Gudiya Devi	Other witness
P.W.-3	Sunita Devi	Other witness

6. The only one document has been marked exhibits on behalf of the prosecution is Ext. P1/P.W-1- Signature of the informant on the written application.
7. After completion of prosecution evidence, the statements of the accused persons have been recorded u/s- 313 Cr.P.C. wherein they have denied the prosecution evidence against them and claimed that they are innocent.
8. No oral or documentary evidence has been adduced by the accused persons in their defence.
9. I have heard the arguments of both sides.

The learned P.P. appearing on behalf of the State has submitted that it appears

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that the case has been compromised between the parties outside the court due to which P.W.-1 who is the informant of this case has not supported the prosecution case and hence, appropriate order may be passed.

On the other hand, the learned defence counsel has submitted that the prosecution has failed to prove the charges levelled against the above-named accused persons beyond all shadow of reasonable doubts and the accused persons deserve acquittal.

POINT FOR DETERMINATION

10. Now, the only one point for determination in this case is as to whether the prosecution has proved the charges levelled against the accused persons beyond all shadow of reasonable doubts?

FINDINGS

11. **P.W.-1** Satyendra Kumar is the informant of this case has stated in his examination-in-chief that the written application was written by Munshi on his instruction on which the informant has made his signature and the same is marked as Ext.-P1/P.W-1. He has further stated that the incident took place 5 years ago at 07:30 P.M. He was coming towards his home and when he went towards high school, quarrel took place between Golu Kumar, Bharat Kewat and Lal Babu Kewat due to which the informant sustained head injury. His mother and family members came to save the informant, she also sustained injury in her leg. The injured were treated at Sadar hospital.

In his cross-examination, this witness has stated that he could not say who assaulted whom by which weapons. He also could not say who assaulted his mother and where. The accused persons are his uncle and cousin brother and the case has been compromised between the parties on which he, his advocate and his mother have put their signature. He further stated that he does not want to contest this case.

12. **P.W.-2** Gudiya Devi has stated in her examination-in-chief that the incident took place 4-5 years ago at evening. Satyendra Kewat was assaulted by Golu Kumar and his family.

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In her cross-examination, she has stated that the accused persons are her Gotiya and the case has been compromised between them. She has further stated that who assaulted whom, she cannot say. She does not know where she received injury. She has sweet relation with the accused persons.

13. **P.W.-3** Sunita Devi has stated in her examination-in-chief that the incident took place five years ago. She has further stated that when her son was returning to home at 07:00 P.M after selling fish, he was assaulted by Golu, Bharat and Lalbabu due to which he fell down. After getting information, she went to the P.O where her son narrated about the incident. Her son was treated at Govt. hospital, Jehanabad, thereafter she went to P.S and case was lodged.

In her cross-examination, she stated that she cannot say who assaulted her and her son Satyendra Kewat by which weapons and he also cannot say where she received injury. She has further stated that she has compromised the case with the accused persons voluntarily and she does not want to contest the case furthermore.

14. After going through the case record and evidence, this court finds that the prosecution has produced three witnesses in this case. P.W.-1 who is informant of this case who identified the signature over his written application given in the police station. During his examination-in-chief, he stated that he sustained head injury as a result of quarrel with Golu, Bharat and Lalbabu Kewat and his mother also sustained injury in her leg. But during cross-examination, he stated that he cannot say who assaulted whom by which weapons. He also cannot say who assaulted his mother. A compromise has taken place between the parties and now he does not want to contest this case. He stated that the compromise petition bears signature of his mother, advocate and himself. P.W.-2 Gudiya Devi also made similar statement that she cannot say who assaulted whom and where she sustained injury. Now, sweet relation has developed between the parties. Similarly, P.W.-3 Sunita Devi also stated during cross-examination that who assaulted at which place to her and her son, she cannot say. Now, compromise has taken place between the parties without any pressure and she does not want to contest this case. Since the informant and other witnesses have

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not supported the incident, hence benefit of doubt is given to the accused persons. Nothing substantial has come out to throw light on the merit of the case, so the statement of the witnesses leads ample of doubts in the minds of the court as to applicability of sections charged with in this case. In the criminal case, the prosecution has to prove his case beyond all reasonable doubts which prosecution has failed to do.

15. In view of above, this court finds that the prosecution has failed to prove the charges levelled against the above named accused persons beyond all shadow of reasonable doubts.

Hence, it is

ORDERED

that the accused persons namely, 1. Lalbabu Kewat, 2. Golu Kumar and 3. Bharat Kewat @ Gautam Kumar are acquitted of the charges U/Ss- 341/34, 323/34, 504/34 and 308/34 I.P.C. giving them benefit of doubt. The above named accused persons are on bail and so they and their sureties are discharged from the liabilities of bail bonds.

Pronounced, signed and sealed in the open court on this **10th** day of July, 2026.

Let a copy of this judgment be sent to the D.M, Jehanabad as per requirement of section 365 Cr.P.C.

(Dictated)

(Dictated & Corrected)

(Vikas Kumar)
Sessions Judge, Jehanabad
10.07.2026

(Vikas Kumar)
Sessions Judge, Jehanabad
10.07.2026

Date of Judgment	10.07.2026
Date of reserving Judgment	07.07.2026
Uploading date	13.07.2026
Uploaded by	Ritesh Kr.