

IN THE COURT OF:- SESSIONS JUDGE JEHANABAD
SESSIONS TRIAL NO. 276/2025

State of Bihar Vs. Javed Akhtar

Present :- Brajesh Kumar
Sessions Judge, Jehanabad

FORM 'A'

<u>IN THE COURT OF :- SESSIONS JUDGE, JEHANABAD</u>	
PRESENT :- BRAJESH KUMAR	
SESSIONS JUDGE, JEHANABAD	
(DATE OF JUDGMENT : - 23.03.2026)	
(SESSIONS TRIAL NO. 276/2025)	
(Arising out of Shakurabad P.S Case no. 135/2020)	
Informant :-	The State of Bihar through – Mamta Devi, Wife of Vishwanath Prasad Soni, R/o village + P.S.-Shakurabad, Distt.-Jehanabad.
Represented by :-	Sri Shardanand Kumar, Ld. P.P.
Accused Person :-	Javed Akhtar @ Javed Anwar, aged about 46 years, Son of late Anwar Hussain. R/o village + P.S.-Shakurabad, Distt.-Jehanabad.
Represented by :-	Sri Arvind Kumar, Ld. Advocate.

FORM 'B'

Date of Offence :-	22.09.2020
Date of FIR :-	22.09.2020
Date of Chargesheet :-	30.11.2020
Date of Cognizance :-	08.12.2020
Date of framing of Charges :-	26.06.2025
Date of commencement of Evidence :-	13.07.2025
Date on which Judgment is reserved :-	NA
Date of Judgment :-	23.03.2026
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.	Javed Akhtar @ Javed Anwar	Bail granted on surrender	03.11.2023	U/Ss-323, 341, 308 and 504 I.P.C	Acquitted	NA	NA

FORM 'C'

LIST OF PROSECUTION / DEFENCE / COURT WITNESSES :-

A. Prosecution Witness :-

Rank	Name of Witness	Nature of Evidence
PW 1	Vishwanath Kumar	(injured witness)
PW 2	Mamta Devi	(informant)

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

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LIST OF PROSECUTION / DEFENCE / COURT EXHIBITS :-

A. Prosecution Exhibits :-

Sl. No.	Exhibit Number	Description
1	Ext. P1/P.W-2	Written application of the informant.

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

J U D G M E N T

1. The sole accused person of this case namely Javed Akhtar @ Javed Anwar stands charged and is facing trial for the offence punishable U/Ss-323, 341, 308 and 504 IPC in connection with Shakurabad P.S Case no. 135/2020 instituted for the offence punishable U/Ss-341, 323, 308, 379 and 504 IPC.
2. Stated in brief, the prosecution case as per the written application of the informant Mamta Devi is that on 22.09.2020 at about 07:00 A.M, she was having some dispute with her mother-in-law and in the meantime, her husband proceeded for Gaya then her neighbour Md. Javed Akhtar son of Anwar Hussain (the accused person) stopped her husband and abused him in filthy language due to which bickering occurred between her husband and Javed. In the meantime, Md. Javed pushed the vehicle of her husband due to which her husband fell down and then Javed assaulted him by means of stick causing head injury to her husband. The informant's husband sustained injury on other parts of his body also. It is

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further alleged that Javed took out Rs. 50,000/- from the pocket of her husband and fled away.

3. On the basis of the above noted written application of the informant, Shakurabad P.S case no. 135/2020 dated 22.09.2020 U/Ss-341, 323, 308, 379 and 504 I.P.C was registered against the above named accused person. After investigation, the I.O of the case submitted charge-sheet no. 135/2020 dated 30.11.2020 U/Ss-341, 323, 308 and 504 I.P.C against the above named accused person and vide order dated 08.12.2020 Dr. Md. Jishan Chand, the learned J.M.F.C Jehanabad took cognizance of offence U/Ss-341, 323, 308 and 504 IPC against the above named accused person and vide order dated 10.06.2025 the case was committed to the court of sessions by Sri Alok Kumar, the Ld. J.M.F.C, Jehanabad and thereupon Sessions trial no. 276/2025 has been instituted against the above named accused person. The charges as stated at the outset have been framed against the above named accused person on 26.06.2025. The charges have been read over and explained to the above named accused person in Hindi to which he has pleaded not guilty and claimed to be tried.
4. The defence case is simple denial of the prosecution case and plea of innocence.
5. In order to prove its case, the prosecution has examined the following two witnesses :-
P.W-1 Vishwanath Kumar (injured witness)
P.W-2 Mamta Devi (informant)
6. The only document marked exhibit on behalf of prosecution is Ext.-P-1/P.W-2- written application of the informant.
7. After completion of the prosecution evidence, the statement of the above named accused person u/s-313 of the Cr.P.C. has been recorded in which the above named accused person has denied the prosecution evidence against him and claimed that he is innocent. However, no oral or documentary evidence has been adduced by the accused person in his defence.
8. I have heard the arguments of both sides.

The learned P.P appearing on behalf of the state has fairly submitted that it appears that the case has been compromised between the parties outside the court due to which the informant and the injured have not at all supported the prosecution case and hence appropriate order may be passed in this case.

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 person beyond all shadow of reasonable doubts and the accused person deserves acquittal.

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POINT FOR DETERMINATION

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

FINDINGS

10. **P.W-1** Vishwanath Kumar is the injured witness who has stated in his examination-in-chief that the incident is of the year 2020 at 06:00-07:00 A.M. He was going to Gaya by motorcycle and when he reached near the house of Javed Akhtar then he saw that a crowd had gathered there and he fell down from the motorcycle. This witness has further stated that he was treated in P.H.C, Ratni and he has identified the accused person present in the court.

In his cross-examination, this witness has stated that the accused person is his neighbour and so he identifies him. This witness has further stated that on the date of occurrence the accused person did not commit Marpit with him rather he had fallen from the motorcycle and became injured. This witness has further stated that the case has been compromised and he does not want to prosecute this case.

11. **P.W-2** Mamta Devi is the informant of this case. She has stated in her examination-in-chief that she had got the written application written by some staff in the police station on which she had made her signature. She has proved the written application which has been marked Ext.-P1/P.W-2. This witness has further stated that the incident occurred 4-5 years ago at 07:00 A.M. Her husband was going to Gaya by motorcycle and when he reached near the door of Javed then bickering started and her husband became injured. This witness has further stated that her husband was treated in Govt. hospital Ratni and she identifies the accused person present in the court.

In her cross-examination, this witness has stated that she has not seen the occurrence with her eyes and she identifies the accused person as he is her neighbour. This witness has further stated that her husband had fallen from the motorcycle in the crowd due to which he sustained minor injury and the case has been compromised.

12. This much is the oral evidence on behalf of the prosecution. In spite of issuance of summons by the court no other witness has come to support the prosecution case. Out of

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two witnesses examined on behalf of the prosecution, P.W-1 Vishwanath Kumar who is said to be an injured witness has stated in his evidence that the accused had not committed Marpit with him on the date of occurrence rather he had fallen from motorcycle and became injured. P.W-2 Mamta Devi who is the informant of this case has stated in her evidence that she had not seen the occurrence with her eyes and her husband had fallen from the motorcycle in the crowd due to which he sustained minor injury. Both these witnesses have stated in their evidence that the case has been compromised. Apart from these two witnesses, no other witness has been examined on behalf of the prosecution.

13. In view of discussions made hereinabove, this court finds that the prosecution has failed to prove the charges levelled against the above named accused person beyond all shadow of reasonable doubts.

Hence, it is

ORDERED

that the accused person Javed Akhtar @ Javed Anwar is acquitted of the charges as stated at the outset. Since the accused person is on bail, hence he and his sureties are discharged from the liabilities of bail bond.

Pronounced, signed and sealed in the open court on this 23rd day of March , 2026.

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

(Dictated & Corrected)

(Dictated & Corrected)

(Brajesh Kumar)
Sessions Judge
Jehanabad
23.03.2026

(Brajesh Kumar)
Sessions Judge
Jehanabad
23.03.2026

Date of order/Judgment	23.03.2026
Date of reserving order	NA
Uploading date	24.03.2026
Uploaded by	Ritesh Kr.