

**IN THE COURT OF:- SESSIONS JUDGE, JEHANABAD**  
**SESSIONS TRIAL NO. 549/2024**

**State of Bihar Vs. Arvind Yadav and others**

**PRESENT:- BRAJESH KUMAR,**  
**SESSIONS JUDGE, JEHANABAD.**

**FORM 'A'**

<b><u>IN THE COURT OF :- SESSIONS JUDGE, JEHANABAD</u></b> <b>PRESENT:- BRAJESH KUMAR,</b> <b>SESSIONS JUDGE, JEHANABAD</b> <b>(DATE OF JUDGMENT : 17.04.2026 )</b> <b>(SESSIONS TRIAL NO. 549/2024)</b> <b>(Arising out of Kako P.S. Case no. 133/2021)</b>	
<b>Informant :-</b>	The State of Bihar through –Prince Kumar, Son of Sudarshan Prasad. R/o Vill.-Sukhdeo Bigha, P.S.-Kako, Distt.-Jehanabad.
<b>Represented by :-</b>	Sri Shardanand Kumar, Ld. P.P.
<b>Accused Persons :-</b>	1. Arvind Yadav, aged about 50 years, Son of late Laldeo Yadav. 2. Dhananjay Kumar, aged about 29 years, Son of Arvind Yadav. 3. Chandan Kumar, aged about 24 years, Son of Arvind Yadav. All R/o village-Sukhdeo Bigha, P.S.-Kako, Distt.-Jehanabad.
<b>Represented by :-</b>	Sri Mukesh Kumar Gautam, Ld. Advocate for the defence.

**FORM 'B'**

<b>Date of Offence :-</b>	11.09.2021
<b>Date of FIR :-</b>	12.09.2021
<b>Date of Charge-sheet :-</b>	30.11.2021
<b>Date of Cognizance:-</b>	09.05.2022
<b>Date of framing of Charges :-</b>	23.10.2024
<b>Date of commencement of Evidence</b>	12.11.2024
<b>Date on which Judgment is reserved :-</b>	NA
<b>Date of Judgment :-</b>	17.04.2026

**IN THE COURT OF:- SESSIONS JUDGE, JEHANABAD**  
**SESSIONS TRIAL NO. 549/2024**

**State of Bihar Vs. Arvind Yadav and others**

**PRESENT:- BRAJESH KUMAR,**  
**SESSIONS JUDGE, JEHANABAD.**

<b>Date of the Sentencing Order, if any :-</b>	NA
--	----

**ACCUSED DETAILS :-**

<b>Rank of the accused</b>	<b>Name of Accused</b>	<b>Date of Arrest</b>	<b>Date of Release on Bail</b>	<b>Offences Charged With</b>	<b>Whether Acquitted or Convicted</b>	<b>Sentence Imposed</b>	<b>Period of Detention Undergone during Trial for purpose of Section 428 of the</b>
1.	Arvind Yadav	Bail granted on surrender	22.11.2021	U/Ss-307/34, 341/34, 504/34 and 379 I.P.C	Acquitted	NA	NA
2.	Dhananjay Kumar	“	27.10.2021	U/Ss-307/34, 341/34 504/34 I.P.C	Acquitted	NA	NA
3.	Chandan Kumar	“	27.10.2021	“	Acquitted	NA	NA

**FORM 'C'**

**LIST OF PROSECUTION / DEFENCE / COURT WITNESSES :-**

**A. Prosecution Witness :-**

<b>Rank</b>	<b>Name of Witness</b>	<b>Nature of Evidence</b>
P.W.-1	Dr. Sheo Kumar Prasad	(Doctor/medical witness)
P.W.-2	Prince Kumar	(Informant)
P.W.-3	Mahesh Prasad	(Other witness)
P.W.-4	Dinesh Prasad	(Other witness)
P.W.-5	Nago Devi	(Other witness)

**B. Defence Witness :-**

<b>Rank</b>	<b>Name of Witness</b>	<b>Nature of Evidence</b>
-------------	------------------------	---------------------------

**IN THE COURT OF:- SESSIONS JUDGE, JEHANABAD**  
**SESSIONS TRIAL NO. 549/2024**

**State of Bihar Vs. Arvind Yadav and others**

**PRESENT:- BRAJESH KUMAR,**  
**SESSIONS JUDGE, JEHANABAD.**

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 :-**

**A. Prosecution Exhibits :-**

Sl. No.	Exhibit Number	Description
1.	Ext. P1/P.W-1	Injury report of Prince Kumar.
2.	Ext. P2/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 accused persons of this case namely, 1. Arvind Yadav, Dhananjay Kumar and Chandan Kumar stand charged and are facing trial for the offence punishable under sections 307/34, 341/34 and 504/34 IPC in connection with Kako P.S. Case No. 133/2021 instituted for the offence punishable U/Ss-341, 323, 379, 504, 506/34 IPC. Further the accused Arvind Yadav stands charged u/s-379 IPC also.
2. Stated in brief, the prosecution case, as per the written application of the informant

**IN THE COURT OF:- SESSIONS JUDGE, JEHANABAD**  
**SESSIONS TRIAL NO. 549/2024**

**State of Bihar Vs. Arvind Yadav and others**

**PRESENT:- BRAJESH KUMAR,**  
**SESSIONS JUDGE, JEHANABAD.**

Prince Kumar is that on the date of occurrence he was coming out from his house in the meantime, Arvind Yadav, Dhananjay Kumar and Chandan Kumar suddenly came on a bike and Chandan Kumar assaulted on the informant's head by means of sharp edged weapon *Pasuli* causing injury on the informant's forehead. It is further alleged that Dhananjay Kumar assaulted by means of iron rod causing injury in the informant's left hand and Arvind Yadav snatched mobile and gold chain.

3. On the basis of the above-noted written application of the informant, Kako P.S. Case No. 133/2021, dated 12.09.2021 U/Ss- 341, 323, 379, 504, 506/34 IPC was registered against the above-named accused persons. After investigation, the I.O. of the case submitted charge-sheet no. 195/2021, dated 30.11.2021, U/Ss.-341, 323, 326, 379, 307, 504 and 506/34 I.P.C. against the above-named accused persons. Vide order dated 09.05.2022, the learned A.C.J.M-1, Jehanabad took cognizance of the offence under sections 341, 323, 326, 307, 379, 504, 506/34 I.P.C. against the above named accused persons and vide order dated 27.08.2024, the case was committed to the court of sessions by the learned A.C.J.M.-1, Jehanabad and thereupon sessions trial no. 549/2025 is registered against the above named accused persons. The charges as stated at the outset have been framed against the above-named accused persons on 23.10.2024. 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 the following five witnesses:-

P.W.-1	Dr. Sheo Kumar Prasad	(Doctor/medical witness)
P.W.-2	Prince Kumar	(Informant)
P.W.-3	Mahesh Prasad	(Other witness)
P.W.-4	Dinesh Prasad	(Other witness)
P.W.-5	Nago Devi	(Other witness)

6. The following documents have been marked Exhibit on behalf of the prosecution :-
- |                |                                       |
|----------------|---------------------------------------|
| Ext. P1/P.W.-1 | Injury report of Prince Kumar         |
| Ext. P2/P.W.-2 | Written application of the informant. |
7. After completion of prosecution evidence, the statements of the accused persons have been recorded under section 313 Cr.P.C. wherein they have denied the prosecution evidence against them and claimed that they are innocent.

**IN THE COURT OF:- SESSIONS JUDGE, JEHANABAD**  
**SESSIONS TRIAL NO. 549/2024**

**State of Bihar Vs. Arvind Yadav and others**

**PRESENT:- BRAJESH KUMAR,  
SESSIONS JUDGE, JEHANABAD.**

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 that the case has been compromised between the parties outside the court and so no non-official witness including the informant/injured has 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** Dr. Sheo Kumar Prasad has stated in his examination-in-chief that on 11.09.2021, he was posted as Medical Officer at PHC, Kako, Jehanabad. On that very day, he examined the patient Prince Kumar, aged about 19 years, Male, S/o Sudarshan Prasad, R/o village Sukhdev Bigha, P.S. Kako, Distt. Jehanabad and found following injury on his body:-

I. One incised wound on 1.1/4" x 1/2" bone touched on left lateral side of forehead with profuse bleeding.

Caused by sharp weapons

Nature-Grievous

This injury report is in his pen and signature. He has identified this injury report which is marked as Ext. P1/P.W-1.

In his cross-examination, this witness has stated that he does not know who brought Prince Kumar before him. He has not mentioned in the injury report the time at which the patient was brought before him. He has not mentioned the duration of injury in the injury report. He has advised the injured for X-ray and on the basis of

**IN THE COURT OF:- SESSIONS JUDGE, JEHANABAD**  
**SESSIONS TRIAL NO. 549/2024**

**State of Bihar Vs. Arvind Yadav and others**

**PRESENT:- BRAJESH KUMAR,**  
**SESSIONS JUDGE, JEHANABAD.**

X-ray report he has prepared injury report. He has not mentioned from where the X-ray of the patient was done. Sharp cutting injury means the injury has occurred by sharp cutting weapon. This type of injury can be caused by Lathi or rod. Date and time of x-ray have not been mentioned in the injury report.

12. **P.W. 2** Prince Kumar is the informant of this case. He has proved the written application which has been marked Ext.-P2/P.W-2. He has further stated that the incident is of dated 11.09.2021 at 08:00 P.M. Three persons came on a motorcycle and committed Marpit with him. This witness has further stated that on the basis of suspicion, he got registered F.I.R against Arvind Yadav, Chandan Kumar and Dhananjay Kumar. This witness has identified the accused persons present in the court.

In his cross-examination, this witness has stated that at the time of occurrence, it was very dark and he could not know who assaulted him and who snatched his mobile and gold chain. This witness has further stated that he gave the name of these accused persons on the basis of suspicion. Later on, after knowing the truth, he compromised the case.

13. **P.W.-3** Mahesh Prasad has stated in his examination-in-chief that he has no knowledge regarding the occurrence. This witness has been declared hostile at the request of prosecution and has been cross-examined on behalf of the prosecution wherein he has denied the prosecution case.

In his cross-examination on behalf of the defence, this witness has stated that at the time of occurrence it was night and very dark and he was not at the place of occurrence. This witness has further stated that he did not see who assaulted Prince and who snatched mobile and gold chain of Prince.

14. **P.W-4** Dinesh Prasad has stated in his examination-in-chief that he does not know about the occurrence and who committed Marpit and the police did not ask anything from him regarding the occurrence. This witness has been declared hostile at the request of prosecution and has been cross-examined on behalf of the prosecution wherein he has denied the prosecution case.

In his cross-examination on behalf of the defence, this witness has stated that it was night and very dark at the time of the alleged occurrence and he was not present at the place of occurrence at that time. He had not seen who assaulted Prince Kumar and who snatched his mobile and gold chain.

**IN THE COURT OF:- SESSIONS JUDGE, JEHANABAD**  
**SESSIONS TRIAL NO. 549/2024**

**State of Bihar Vs. Arvind Yadav and others**

**PRESENT:- BRAJESH KUMAR,**  
**SESSIONS JUDGE, JEHANABAD.**

15. **P.W-5** Nago Devi has stated in her examination-in-chief that she could not see anything due to darkness. This witness has been declared hostile at the request of prosecution and has been cross-examined on behalf of the prosecution wherein she has denied the prosecution case.

In her cross-examination, this witness has stated that it was night and very dark at the time of occurrence and she did not see who assaulted whom in the occurrence and who snatched mobile and chain of Prince.

16. This much is the oral evidence on behalf of the prosecution. On an analysis of the evidence available on the record, this court finds that out of the five witnesses examined on behalf of the prosecution, P.W-1 is the doctor who has proved the injury report of the injured (the informant Prince Kumar). P.W-2 is the informant of this case who has stated in his examination-in-chief that he had lodged F.I.R against Arvind Yadav, Chandan Kumar and Dhananjay Kumar on the basis of suspicion. In his cross-examination P.W-1 has stated that at the time of occurrence it was very dark and he could not know who assaulted him and who snatched his mobile and gold chain and after knowing the truth, he compromised the case. P.W.-3 Mahesh Prasad, P.W-4 Dinesh Prasad and P.W.-5 Nago Devi have turned hostile and have not at all supported the prosecution case. P.W.-3 has stated in his cross-examination that at the time of occurrence it was night and very dark and he was not at the place of occurrence and he did not see who assaulted Prince and who snatched his mobile and gold chain. P.W.-4 Dinesh Prasad has stated in his cross-examination that at the time of occurrence it was night and very dark and he was not present at the place of occurrence at that time and he had not seen who assaulted prince and who snatched his mobile and gold chain. P.W.-5 Nago Devi has stated in her cross-examination that she could not see anything due to darkness and she also did not see who assaulted whom in the occurrence and who snatched mobile and chain of Prince.
17. In view of discussions made hereinabove, 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 Arvind Yadav, Dhananjay Kumar and

**IN THE COURT OF:- SESSIONS JUDGE, JEHANABAD**  
**SESSIONS TRIAL NO. 549/2024**

**State of Bihar Vs. Arvind Yadav and others**

**PRESENT:- BRAJESH KUMAR,**  
**SESSIONS JUDGE, JEHANABAD.**

Chandan Kumar are acquitted of the charges as stated at the outset. 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 **17<sup>th</sup> day of April, 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  
**17.04.2026**

(Brajesh Kumar)  
Sessions Judge, Jehanabad  
**17.04.2026**

Date of Judgment	17.04.2026
Date of reserving Judgment	NA
Uploading date	18.04.2026
Uploaded by	Ritesh Kumar

Web copy, Civil court Jehanabad.