

BRKH010019782017



Presented on : 09-06-2017
 Registered on : 09-06-2017
 Decided on : 16-04-2026
 Duration : 8 years, 10 months, 7 days

IN THE COURT OF SESSIONS JUDGE
At Khagaria, (Bihar)
(Presided Over by Shri Rajesh Kumar Bachchan)

Sessions Trial Case No. 220/2017
(Net No.221/2017)
 Parbatta (Bharatkhand) P.S. Case No. 54/2015

u/Ss.- 365 and 366(A) of I.P.C

State of Bihar v. Ranvir Yadav

FORM A

Informant	STATE (Through Murari Sah alias Murlidhar Sah) S/o- Late Bhupal Sah R/o- Vill.- Thebhay, P.S. Parbatta (Bharatkhand), District- Khagaria
Represented by	Shri Bhola Prasad Singh, Ld. P.P. for State
Accused	Ranvir Yadav, aged about 38 years S/o- Naresh Yadav R/o vill.- Thebhay, P.S. Parbatta (Bharatkhand), District- Khagaria.
Represented by	Shri Vijay Kumar, Ld. Advocate for defence

FORM B

Date of offence	09.02.2015
Date of FIR	10.02.2015
Date of charge-sheet	27.02.2016
Date of framing of charge	16.01.2019
Date of commencement of evidence	11.03.2019
Date on which judgment is reserved	15.04.2026
Date of judgment	16.04.2026

RK Bachchan

Accused Details

Rank of the accused	Name of accused	Date of arrest/surrender	Date of release on bail	Offences charged with	Whether acquitted or convicted	Sentence imposed	Period of detention undergone during trial for the purpose of Section 428 Cr.P.C.
1.	Ranvir Yadav	17.07.2018	27.07.2018	366A and 363 of I.P.C	Acquitted		10 Days

:: J U D G M E N T ::

1. The aforesaid sole accused stands charged for the offence punishable u/Ss. 366A and 363 of IPC.

PROSECUTION CASE

2. The case of prosecution unveiled from the F.I.R. is that informant made a written complaint to the incharge Bharatkhand O.P.(Parbatta) on 10.02.2015 stating that his daughter aged about 15 years who was a student of 10th standard was coming to her house after attending Babu coaching center Khajraitha at 04:00 PM on 09.02.2015 then Ranvir Yadav son of Naresh Yadav R/o- Village Thebhay, P.S. Parbatta, Distt. Khagaria took away her on his motor cycle from Khajraitha Dhala. Informant has stated that the fact of taking away of his daughter by Ranvir Yadav was seen by Pankaj Sah who told him after coming to his house. Informant searched his daughter but did not get any information. He believes that his minor daughter was kidnapped by Ranvir Yadav after inducing her.

CHARGE SHEET, COGNIZANCE AND COMMITTAL

3. After investigation charge sheet was submitted on 29.02.2016 for the offence punishable u/Ss. 363 and 366A of I.P.C. Cognizance was taken

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for the same offence on 20.12.2016. Case was committed to this Court by the Ld. Court of ACJM-I, Khagaria, vide order dated 31.05.2017.

CHARGE

4. Charge was framed on 16.01.2019 as aforesaid against sole accused. The same was read over and explained to him in Hindi to which he pleaded not guilty and claimed to be tried.

PROSECUTION EVIDENCE, STATEMENT OF ACCUSED AND DEFENCE EVIDENCE

5. In order to prove its case, prosecution has examined five witnesses in evidence. Its evidence was closed on 12.12.2025. In statement under Section 313 Cr.P.C. recorded on 15.01.2026 accused denied all questions put to him.

FORM C

LIST OF PROSECUTION WITNESSES

RANK	NAME	NATURE OF EVIDENCE
P.W.-1	Murari Sah alias Murlidhar Sah	Informant
P.W.-2	Pankaj Kumar Sah	Eye witness
P.W.-3	Pramod Sah	Independent witness
P.W.-4	Shashikant Sah	Independent witness
P.W.-5	Prashant Kumar Sah	Independent witness

EXHIBITS OF PROSECUTION

SL.No.	EXHIBITS	DESCRIPTION
1.	Ext.1	Signature of informant Murari Sah alias Murlidhar Sah on written application.

EXHIBITS OF DEFENCE

Sl. No.	No. of exhibits	Description
1.	NIL	NIL

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ARGUMENTS

6. Ld. P.P. presented the case of the prosecution and has submitted that evidence against the accused is deficient.
7. Ld. Counsel for defence has submitted that the prosecution has failed to prove its case beyond reasonable doubt and he is entitled to be acquitted in this case.

POINT FOR DETERMINATION

8. From the evidence on record and submissions of the Ld. Counsel for both sides, the following point emerged for determination:

“Whether the prosecution has succeeded in proving its case beyond reasonable doubt?”

DISCUSSION, DECISION AND REASONS THEREOF

9. In order to appreciate the arguments advanced on behalf of both the sides, it is considered next to outline a sketch of the evidence on record:

(i) Informant has been examined as P.W. 1 on 24.10.2019. He has stated in his examination in chief that he has filed this case against Ranvir Yadav. He has further stated that his daughter aged about 15 years did not return after attending school then he did search and she was found in her Nanihal. He has stated that due to rumors in his village he had given name of Ranvir Yadav in the case. P.W. 1 was declared hostile. After lengthy cross examination by Ld. P.P. nothing relevant came to the fore which can help the prosecution. On cross examination by defence P.W.1 has stated that complaint was filed due to coming under gossip of villagers and name of Ranvir Yadav was also given due to the same.

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(ii) Pankaj Kumar Sah who is stated to be the eye witness of this case was examined as P.W.2 and he did not support the case of the prosecution and was declared hostile. P.W.3 Pramod Sah also did not support the case of the prosecution. On cross examination by defence P.W.2 and P.W.3 have stated that they have deposed voluntarily. P.W.4 Shashikant Sah in his examination in chief has stated that he did not see the incident. He has stated that his statement was not recorded by the police and the parties had compromised with each other. P.W.5 Prashant Kumar Sah has stated in his examination in chief that he does not remember when the incident had occurred. He has further stated that he does not know who said what and what incident had occurred. P.W.5 has further stated that his statement was not recorded by the police.

10. Informant in the F.I.R. and in his evidence before this Court has stated that his daughter was fifteen years old at the time of incident. It means the victim was minor when the incident had occurred. As per F.I.R. Pankaj Kumar Sah was eye witness of the incident and he had told the informant that he saw the sole accused taking away the victim. Pankaj Kumar Sah has been examined as P.W. 2 but he did not support the case of the prosecution and was declared hostile. P.W. 2 has blatantly stated that he does not have any knowledge about the incident and his statement was not recorded by the police.
11. Informant though he has alleged in the F.I.R. that his daughter was taken away by the sole accused but in his statement before this Court he has stated that his daughter did not return after attending the school and later found in her Nanihal. On cross examination informant has

Neelam Chandra

stated that his daughter used to visit her Nanihal. He has further stated that he had lodged written complaint on the basis of gossip of villagers and had also named the sole accused due to the same. Informant has completely exonerated the sole accused from the allegation leveled in the F.I.R. Other witnesses have also not supported the case of the prosecution.

12. For ready reference Sections 366A and 363 of I.P.C. are reproduced below:

366A. Procurement of minor girl.- Whoever, by any means whatsoever, induces any minor girl under the age of eighteen years to go from any place or to do any act with intent that such girl may be, or knowing that it is likely that she will be, forced or seduced to illicit intercourse with another person shall be punishable with imprisonment which may extend to ten years, and shall also be liable to fine.

363. Punishment for kidnapping.- Whoever kidnaps any person from (India) or from lawful guardianship, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

13. Prosecution has failed to prove that the minor girl of the informant was kidnapped by the sole accused. Therefore, allegation of procurement of victim does not come within the periphery of Section 366A of I.P.C. also. Sole accused in his statement recorded u/S. 313 of Cr.P.C. has stated that the informant lodged a false case and at the time of incident he was already a married person. He also stated that he did not induce the victim.
14. Upshot of the above discussion is that the prosecution has failed to prove the allegation against the sole accused for the offence for which he has been charged with beyond reasonable doubt. Point for determination is decided accordingly and against the prosecution.

CONCLUSION

15. In view of the findings recorded herein above the prosecution has failed to prove the charge of Sections 366A and 363 of IPC against

sole accused Ranvir Yadav, thus, he is acquitted from aforesaid charges. Bail bonds furnished earlier, are extended for further six months in compliance of Section 437-A of Cr.P.C.

16. Judgment pronounced in open court today on 16th April, 2026 in presence of sole accused.

(Dictated and corrected by me)

RK Bachchan

(Rajesh Kumar Bachchan)
Sessions Judge,
Khagaria,
16.04.2026

(Dictated)

RK Bachchan

(Rajesh Kumar Bachchan)
Sessions Judge,
Khagaria,
16.04.2026

Date of Judgment	16.04.2026
Date of Reserving Judgment	15.04.2026
Uploading Date	18.04.2026
Uploaded by	Sushant Kumar (200)