

<u>COURT OF THE SESSIONS JUDGE, KISHANGANJ</u> Present:- Sushant Kumar Sessions Judge,Kishanganj Date of judgment:- 04th April, 2026 <u>Session Trial No. 290/ 2025</u> [Bahadurganj P. S. Case no. 83 / 2020]	
Complainant	STATE OF BIHAR, through Beli Begam D/o Jahherul Haque Age about- 20 Years R/o- Majkuri P. S – Kochadhaman District- Kishanganj
Represented by.....	Sri Pranav Kumar , learned P. P.
ACCUSED	1. Najiruddin 2. Muzaffar Alam 3. Akbar Alam @ Naukir
REPRESENTED BY	Shri Deepak Kumar Sahni, Advocate.

DATE OF OFFENCE	16-03-2020
Date of FIR	17-03-2020
Date of Charge-sheet	26-12-2020
Date of Framing of Charges	03-11-2025
Date of commencement of evidence	02-01-2026
Date of which Judgment is reserved	30-03-2026
Date of the Judgment	04-04-2026
Date of the Sentencing Order, if any	N.A.

Accused Details:

Rank of the Accused	A-1
Name of Accused	Naziruddin S/o-Late Raisoddin vill-Majkuri P. S. Kochadhaman, District Kishanganj
Date of Arrest	05-11-2020 (on surrender)
Date of Release on Bail	06-11-2020
Offences Charged with	U/s 341/34, 323/34, 324/34, 308/34, 504/34, 506/34 of the IPC
Whether Acquitted or convicted	Acquitted

Accused Details:

Rank of the Accused	A-2
Name of Accused	Muzaffar Alam S/o- Yushuf vill- Majkuri P. S.- Kochadhaman, District- Kishanganj
Date of Arrest	22-06-2020
Date of Release on Bail	31-07-2020
Offences Charged with	U/s 341/34, 323/34, 324/34, 308/34, 504/34, 506/34 of the IPC
Whether Acquitted or convicted	Acquitted

Accused Details:

Rank of the Accused	A-3
Name of Accused	Akbar Alam @ Naukir S/ o- Muzaffar Alam vill- Majkuri P. S. Kochadhaman, District Kishanganj
Date of Arrest	18-08-2020 (on surrender)
Date of Release on Bail	20-09-2020
Offences Charged with	U/s 341/34, 323/34, 324/34, 308/34, 504/34, 506/34 of the IPC
Whether Acquitted or convicted	Acquitted

Attached:
APPENDIX OF EVIDENCE INDEX.
LIST OF PROSECUTION/DEFENCE/COURT WITNESSES

A. Prosecution

RANK	NAME	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS,EXPERT WITNESS,MEDICALWITNESS,PANCH WITNESS, OTHER WITNESS)
P.W.-1	Beli Begam	Informant
P.W.-2	Md. Kashim Akhtar @ Kashim	Other witness
PW-3	Nashim Akhtar	Othe witness
PW-4	Nashima Khatoon	Other witness

B. Defence Witnesses, if any:

RANK	NAME	NATURE OF EVIDENCE (EYEWITNESS,POLICE WITNESS,EXPERT WITNESS,MEDICALWITNESS,PANCH WITNESS, OTHER WITNESS)
N.A.	N.A.	

C. Court Witnesses, if any:

RANK	NAME	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS,EXPERT WITNESS,MEDICALWITNESS,PANCH WITNESS, OTHER WITNESS)
CW	N.A.	N.A.

LIST OF PROSECUTIONS/DEFENCE/COURT EXHIBITS

A. Prosecution:

Sr. .No	Exhibit Number	Description
1	P-1/ PW-1	Signature of informant on written application
2		

B. Defence:

Sr. No	Exhibit Number	Description
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C. Court Exhibit:

Sr. No	Exhibit Number	Description
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D. Material Object:

Sr. No	Material Object Number	Description
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J U D G M E N T

1. The above named three accused persons are facing trial for the charged offence u/s 341, 323, 324, 308, 504, 506/ 34, of the IPC.

2. Prosecution case as per written report of the informant Beli Begam is that on 16-03-2020 at about 12 “O” Clock noon she got knowledge that the accused persons facing trial had reached at Kishanganj for the purpose of marriage of the accused Akabar Alam @ Naukir with Ashmat of District Araria. On that information the informant along with her mother Nashima and Kashim proceeded from her house for taking true information. As soon as they reached at Narvapada Chowk. The accused persons were boarding down from a bus. Thereafter, the informant went near the accused Akbar Alam and told that he had ruined her life and was going to solemnize marriage with another girl. Then all the accused persons started abusing and assaulting her. The accused Mujaffar Alam caused her injured biting her in left arm. The accused Akbar Alam assaulted her with brick upon her head. Blood was oozing from her head and seeing this accused persons fled away from there. It is further alleged that her mother Nashima and Kashim also became injured during course of intervention. It is further alleged that the accused Akbar Alam @ Naukir had committed rape with her and refused to marry her. In this regard Kochadhaman P. S. case no. 56/ 2020 was instituted.

3. On the basis of aforesaid written report, Bahadurganj P. S. case no. 83/ 2020 was registered u/s 341, 323, 324, 308, 337, 338, 504, 506, 34 of the IPC against the accused persons facing trial. After investigation the police submitted charge sheet no. 266 /2020 against the accused facing trial u/s 341, 323, 324, 308, 337, 338, 504, 506, 34 of the IPC against the accused persons. Accordingly, cognizance was taken by Learned C. J. M. vide order dated 28-01-2025. The case was committed to the court of Sessions vide order dated 12-09-2025. The record of the case was received in this court on 25-09-2025. On 03-11-2025 charges were framed as mentioned above against the accused persons to which they pleaded not guilty and claimed to be tried.

4. The prosecution has got examined altogether 4 witnesses. They are :-

P. W.- 1 Beli Begam

P. W. - 2 Md. Kashim Akhtar @ Kashim

P. W. -3 Nashim Akhtar

P. W. - 4 Nashima Khatoon

Prosecution has adduced documentary evidence which is :-

i) P 1 / PW 1 – Signature of informant on written application

5. After completion of prosecution evidence, the statement of accused persons were recorded u/s 313 of the Cr. P. C. on 27-03-2025 in which they pleaded innocence and false implication. No oral or documentary evidence has been adduced on behalf of the defence.

6. The point that now arises for determination is whether the prosecution has been able to prove the charge levelled against the accused persons beyond reasonable doubts or not ?

FINDINGS

7. Out of four prosecution witnesses P.W- 2 Md. Kashim Akhtar @ Kashim, P. W. 3 Nashim Akhtar and P. W. 4 Nashima Khatoon have been declared hostile by the prosecution. They have shown their ignorance about the occurrence. They have denied the suggestion with regard to their earlier statements before the police.

8. P. W.- 1 Beli Begam (Informant of the case) has stated in her examination in chief that she had lodged this case. She had submitted written application at police station for lodging the case. She identified her signature on the written report which has been marked as exhibit P-1/ P. W.-1. She further stated that the occurrence is about four years ago. She had lodged the case against the accused persons with regard to issue of goat. This witness has partially been declared hostile by the prosecution. She denied the

suggestion with regard to her earlier statement before the police. She identified the accused Muzaffar Alam in the court and claimed to identify other accused persons who were represented through lawyer.

In cross-examination by the defence this witness has stated that both parties are relatives. She has no grievance from the accused persons. No accused had assaulted her. She has no knowledge about the contents of the paper upon which she identified her signature.

09. Learned P. P. has submitted that it appears that both the parties have compromised the case out side the court and hence, the private prosecution witnesses have not fully supported the prosecution version.

10. On the other hand, learned counsel for the defence has argued that none of the prosecution witnesses has supported the prosecution version and hence the accused deserves to be acquitted.

11. From perusal of the record it appears that PW- 2 Md. Kashim Akhtar @ Kashim, PW-3 Nashim Akhtar and PW-4 Nashima Khatoon have shown their ignorance about the occurrence and they have been declared hostile. PW-1 Beli Begam (informant) and injured of the case has stated in her examination in chief that she had submitted written application for lodging the case against the accused persons facing trial. She identified her signature upon the written application which has been marked as exhibit P-1/ PW-1. She has further stated that she had lodged the case with regard to issue of goat. In cross examination by the defence she has stated that no accused had committed *marpit* with her. Thus from the evidences on record, it appears that there is no sufficient material on record to hold the accused persons guilty of charges levelled against them.

12. In view of the above discussion of material on record, this court comes to the conclusion that the prosecution has not been able to prove charges u/s 341, 323, 324, 308, 504, 506/ 34 of the IPC

against the accused persons beyond reasonable doubt. Accordingly, the accused persons namely, 1. Naziruddin 2. Muzaffar Alam 3. Akbar Alam @ Naukir are hereby acquitted of all the charges. The accused persons are on bail. They are discharged from the liability of their bail bonds.

SD/-
Sessions judge,
Kishanganj
Dated - 04-04-2026

Dictated & Corrected by

Sd/-
Sessions judge,
Kishanganj

Dated – 04-04-2026

Date of judgment / Order	04-04-2026
Date of reserving judgment / order	30-03-2026
Uploading date	10-04-2026
Uploaded by	Steno