

In The Court of Md. Shuaib, Judicial Magistrate First Class, Benipatti,
Sub-Divisional Court, Benipatti, District-Madhubani.

General Register Number- 1478/2011 (Arising out of Benipatti P.S Case No. 85/2011)

State of Bihar through Informant Gulab Devi..... Prosecution.

versus

Lalit Yadav and Others Accused.

Date	ORDER	Remarks
18.03.2026	Accused person namely Gangai Mahto is in attendance. Today the case record has been listed for Argument and Judgment. Heard Mr. Satya Narayan Yadav, Learned Defence Counsel and Mr. Kamlesh Chaturvedi, Learned S.D.P.O in length. Perused the Case Record. From perusal of Case Record, it transpires that case has been instituted on the basis of Fardbayan of Gulab Devi, W/o- Ganga Sah, Resident of Village- Basopatti, P.S.-Basopatti, District- Madhubani against accused persons namely (1) Lalit Yadav, (2) Tej Narayan Yadav, (3) Gangai Mahto for the offences punishable under section 323, 324, 341, 379, 504/34 of Indian Penal Code. After Investigation, Investigating Officer has filed Chargesheet vide Chargesheet No. 98/2011, Dated- 30.06.2011 on 03.12.2011 against accused persons namely (1) Lalit Yadav, (2) Tej Narayan Yadav, (3) Gangai Mahto for the offences punishable under section 323, 341, 504/34 of Indian Penal Code. On 02.02.2012 cognizance had been taken against (1) Lalit Yadav, (2) Tej Narayan Yadav, (3) Gangai Mahto for the offences punishable under section 323, 341, 504/34 of Indian Penal Code. On 03.03.2012 accusation has been explained against (1) Lalit Yadav, (2) Tej Narayan Yadav, (3) Gangai Mahto for the offences punishable under Section 323, 341, 504/34 of Indian Penal Code to which they pleaded not guilty and claimed to be tried. On 22.01.2019 summon has been issued against prosecution witnesses. On 24.03.2022 B.W. against prosecution witness has been issued. On 01.07.2025 accused Tej Narayan Yadav has been declared dead and proceeding against him has been dropped. On 01.07.2025 Prosecution Evidence has been closed after issuing all the processes against the Prosecution Witnesses. Since the accused Lalit Yadav was a minor, his statement could not be recorded under Section 313 of Cr.P.C and his case record was separated and sent to the Juvenile Justice Board, Madhubani. After that no one appeared to support the case of prosecution, even informant did not turned up to support the case of prosecution. On 19.09.2025 statement of accused Gangai Mahto had been recorded under	

Benipatti P.S Case No. 85/2011, G.R. No. 1478/2011, Trial No. 790/2024.

C.N.R No. BRMB21-000031-2011, Reg. No. 1478/2011.

COURT OF MD. SHUAIB, JUDICIAL MAGISTRATE FIRST CLASS, BENIPATTI,
SUB-DIVISIONAL COURT, BENIPATTI, DISTRICT-MADHUBANI.

In The Court of Md. Shuaib, Judicial Magistrate First Class, Benipatti,
Sub-Divisional Court, Benipatti, District-Madhubani.

Continue 18.03.2026	section 313 of Cr.P.C in which he denied the veracity of prosecution case and claimed himself to be innocent. On 03.11.2025 Defence Evidence has been closed on the petition of Learned Defence Counsel. From perusal of Case Record it transpires that there is nothing available on record to convict the accused. Considering the above mentioned facts and circumstances, it is evident that prosecution has completely failed to prove guilt of accused person beyond the shadow of reasonable doubt. Hence, this Court found and hold that the accused person namely Gangai Mahto is not guilty for the offences punishable under Section 323, 341, 504/34 of Indian Penal Code. <u>ORDER</u> In the present case the prosecution has failed to prove its case due to lack of evidence. So, the accused person namely Gangai Mahto, facing trial in this case is hereby acquitted from the charges punishable under Section 323, 341, 504/34 of Indian Penal Code. Since the aforesaid accused person is on bail, the accused person, and his bailors/sureties are also discharged from their respective liabilities as to their bail bonds. The accused be set at liberty. This judgement is written, typed, corrected, signed and pronounced by me in open court. Office Clerk is directed to upload the Judgment in CIS and update the CIS accordingly. Office Clerk is further directed to recall the process issued against above mentioned accused, if any, and consign the record to record room as per Rules. Md Shuaib Judicial Magistrate First Class, Benipatti. Sub-Divisional Court, Benipatti, District- Madhubani.	
------------------------	---	--