

IN THE COURT OF CIVIL JUDGE (JR. DIV.) CUM JMFC, BENIPATTI(MADHUBANI)

GR. Case No. 651/2005, TR-280/2026, CNR-BRMB210000782005.

S. No.	Date of order of proceeding	Order with signature of the Court	Office action taken
1.	2.	3.	4..
	24/07/2026	1. There was sole accused in present case namely 1) Shatrudhan Rai who is in attendance. Today the case record has been listed for Judgment. Perused the Case Record. 2. From perusal of Case Record, it transpires that case has been instituted on the basis of written application of Ganga Prasad Mandal, S/o Late Puran Mandal, R/O- Village- Pipraun, P.S- Harlakhi, District- Madhubani against the aforesaid accused person for the offences punishable under Section 279 and 304(A) of Indian Penal Code. 3. After Investigation, Investigating Officer has filed Chargesheet vide Chargesheet No. 27/2005, Dated- 20.05.2005 against aforesaid accused person namely 1) Shatrudhan Rai for the offences punishable under Section 279 and 304(A) of Indian Penal Code. 4. Cognizance had been taken against 1) Shatrudhan Rai for the offences punishable under Section 279 and 304(A) of Indian Penal Code on 05.07.2005. 5. On 22.12.2005 substance of acquisition was explained against to aforesaid accused for the offences punishable under Section 279 and 304(A) of Indian Penal Code to which they pleaded not guilty and claimed to be tried. 6. On 04.01.2006 summon has been issued against prosecution witnesses and Learned A.P.O which has duly been informed to bring the evidence. 7. On 03.11.2025 prosecution has been given last chance for evidence. On 10.03.2026 Prosecution Evidence has been closed	

	after issuing all the processes against the Prosecution Witnesses. 8. On 09.04.2026, the statement of the sole accused under Section 313 was recorded. Where he has pleaded that he is innocent. 9. In <u>Dahyabhai Chhaganbhai Thakkar vs. State of Gujarat</u>, (AIR 1964 SC 1563), the Hon'ble Supreme Court has ruled that <i>it is the fundamental principle of criminal jurisprudence that an accused is presumed to be innocent and, therefore, the burden lies on the prosecution to prove the guilt of the accused beyond reasonable doubt. This general burden never shifts and it always rests on the prosecution.</i> 10. In a criminal trial, the burden of proving everything essential to the establishment of the charge against an accused always rests on the prosecution and there is a presumption of innocence in favour of the accused until the contrary is proved. This general burden never shifts and it always rests on the accused. 11. 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 1) Shratudhan Rai for the offences punishable under Section 279 and 304(A) of Indian Penal Code.	
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ORDER

In the present case the prosecution has failed to prove its case due to lack of evidence. So, the accused person namely 1) **Shatrudhan Rai, facing trial in this case are hereby acquitted from the charges punishable under Section 279 and 304(A) of Indian Penal Code.** Since the aforesaid accused person is on bail, the accused person, and their 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.

Manish Ranjan
CJJD cum JMFC
Benipatti (Madhubani)