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Court of Addl. Sessions Judge-I, Munger

Present-Amit Ranjan Upadhyay, Addl. Sessions Judge-I, Munger.

Sessions Trial No. 255/2024

Shampur P.S. Case No. 46 of 2024

State (Urmila Devi) Vs Sachin Kumar

DATE OF JUDGMENT: - 8th day of June 2026

Court of Addl. Sessions Judge-I, Munger

DISTRICT : - MUNGER (BIHAR)

P R E S E N T:

Amit Ranjan Upadhyay,
Addl. Sessions Judge-I
Munger

Sessions Trial No. 255/2024

Shampur P.S. Case No. 46 of 2024

State (Urmila Devi) Vs Sachin Kumar

DATE OF JUDGMENT: - 8th day of June 2026

INFORMANT	Urmila Devi, W/o Horil Singh, At Kuraba, P.S. Shampur, District Munger.
REPRESENTED BY	Sri Abhay Kumar Sinha Ld. Additional Public Prosecutor.
ACCUSED	Sachin Kumar @ Chandan Kumar Age 22 yrs. S/o Shambhu Bind, At- Jankidih Beldaria, P.S. Shampur, District Munger.
REPRESENTED BY	Sri Sri Naresh Prasad Yadav Ld. Defence Counsel

Date of offence	24.04.2024
Date of FIR	03.05.2024
Date of Charge sheet	29.06.2024
Date of Framing of Charges	26.11.2024
Date of commencement of Evidence	15.07.2025
Date on which judgment is reserved	08.06.2026
Date of the Judgment	08.06.2026
Date of the Sentencing order, if any	Accused person has been Acquitted.

Accused Details:

Rank of the Accused	Name of the Accused persons	Date of Arrest/ Surrender	Date of Release on Bail	Offenses Charged with	Whether Acquitted or convicted	Sentence Imposed	Period of Detention undergone during Trial for purpose of section 428 Cr.P.C.
1.	Sachin Kumar @ Chandan Kumar	04.05.2024	19.09.2024	363, 366(A) of the I.P.C.	Acquitted	N.A	N.A

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J U D G M E N T

1. In this case sole accused **Sachin Kumar @ Chandan Kumar** stands charged **u/sections 363, 366(A) of the I.P.C and facing the trial.**
2. As per the prosecution case, on 14.04.2024 at about 10.00 A.M. the accused kidnapped the minor daughter of the informant for the purpose of marry her. In the instance of written application filed by the informant, a case being Shampur P.S. Case No. 46/2024 has been registered and investigation has been started.
3. After completion of the investigation, the investigating officer has submitted **charge sheet No. 60/2024 dt. 29.06.2024 U/sections 366(A) of I.P.C.** and on that basis, cognizance of offence has been taken by the Court of Ld. Chief Judicial Magistrate, Munger on 08.07.2024 against the accused **Sachin Kumar @ Chandan Kumar.**
4. The case of the defence is total denial of the occurrence. Ld. Defence Counsel has submitted that the accused has falsely been implicated in this case due to village politics.
5. On **26.11.2024** the charge has been framed **U/sections 363, 366(A) of I.P.C.** and explained in Hindi to the accused **Sachin Kumar @ Chandan Kumar** who pleaded not guilty and claimed to be tried. Thereafter, the prosecution has examined altogether three witnesses to substantiate its case.
6. On 04.05.2026 prosecution evidence has been closed and the record was fixed for recording of statement of the accused U/s 313 of the Cr.P.C. Thereafter, **on 08.06.2026** the statement of the accused person U/s 313 was recorded in which he denied the allegations levelled against him.
7. ***Now, the main point for adjudication in this case is that whether the prosecution has been able to prove its case against the accused person beyond the shadow of all reasonable doubt or not ?***

FINDING

8. In this case, prosecution has examined three witnesses in this case -

Sl. No.	Witness No.	Witness Name	Witness Nature
1.	PW-1	Gulo Bind	Informant
2.	PW-2	Urmila Devi	Other Witness
3.	PW-3	Victim X	Victim

9. In this case, prosecution has produced one documentary evidence.

LIST OF DOCUMENT EXHIBITED:

Sr. No.	Exhibit No.	Description Of Exhibit
1.	Exhibit-P-1	Statement of victim u/s 164 of the Cr.P.C.

10. No any oral or documentary Evidence produced on behalf of defence side.

11. The prosecution has examined three witnesses in this case. In course of adjudication, I would like to discuss the evidences adduced by the prosecution one by one. **PW-1 Gulo Bind** has stated in his examination-in-cheif that he has no knowledge about the time of incident. He has also stated that he has no knowledge that who has lodged this case against whom. He has further stated that Ld. Counsel had called him due to which he came to deposed. He has also stated that the police had nor recorded his statement and he ha been declared hostile on the request of Ld. Additional Public Prosecution. He has claimed to identify the accused of this case who was represented through his Counsle. In the cross-examination, this witness has stated that Sachin Kumar @ Chandan Kumar resides in his muhalla due to which he has identified him and he has deposed before the Court without any fear and pressure. **PW2 Urmila Devi** has stated that her paternal house is situated at Jankidih Beldaria under Bannu Bagicha P.S. District Lakhisarai. She has further stated that she is the informant of this case. She has stated that the incident occurred two years ago, Sachin Kumar taken her daughter to his house, she was at Punjab at that time, she had been informed by her her son Prince Kumar thereafter, she returned to her house and during the course of searching, she found her daughter at the house

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of the accused thereafter, the mukhiya of locality was written her application upon which she put her thumb impression. She has identified the accused Sachin Kumar present before the Court. In her cross-examination, she has stated that darogaji had taken her thumb impression on a plain paper and the written application was not narrated to her. She has further stated that she has no knowledge about the person with whom her daughter had gone. She has further stated that she has deposed before the Court without any fear and pressure. **PW3 Victim X** has stated in her examination-in-chief that the incident was occurred in the year 2024. She has further stated that she herself went with Sachin Kumar for marriage. She has stated that she married in the Shiv temple situated in the village Dibiyal Dariya in the year of 2025. She has further stated that her statement was recorded by the Magistrate Sahab and she made her signature upon it and upon her identification, the statement u/s 164 has been marked as Exhibit-P-1. She has identified the accused present in the Court. In her cross-examination, she has stated that she is living peacefully in her matrimonial house with her husband. She has also stated that she is pregnant and she has no complaint against the accused.

Apart from production and examination of these three witnesses including informant of this case, Prosecution has failed to produce other charge sheeted witnesses including the investigating officer and the medical officer. This case is solely based on written application of informant of this case who has partly supported the prosecution case in her examination-in-chief but she denied all the allegations against the accused in her cross-examination, even she refused to identify the accused. Due to absence of I.O and doctor neither formal F.I.R, charge-sheet, place of occurrence nor medical examination report has been proved and marked as exhibit and even Ld. Defence Counsel failed to get opportunity to cross-examine them and take contradiction of other

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prosecution witnesses. After the completion of the investigation, the investigating officer has submitted charg-sheet u/s 366(A) of I.P.C against the sole accused Sachin Kumar, cognizance of offence was taken in same section on 08.07.2024 and the case was committed to the Court of Sessions on 22.07.2027 from where this case has been transferred to this Court on 06.08.2024. Charge was framed against the accused on 26.11.2024 and this court has issued summons as well as bailable warrants against the prosecution witnesses which resulted into production of three witnesses including informant of this case. It is hard fact that none of the prosecution witnesses has fully supported the case. Even, victim has stated that she herself went out from her house with the accused and married with him and living peacefully in her sasural. So, non supporting of informant regarding prosecution story has made prosecution case doubtful and in this way prosecution has failed to prove the charges leveled against the accused beyond the shadow of reasonable doubt. It is well settled principle of law that benefit of doubt always goes in favour of accused person.

12. Accordingly, it is therefore,

Ordered

I found and held accused person namely **Sachin Kumar @ Chandan Kumar** not guilty U/section 363, 366(A) of the I.P.C. giving him benefit of doubt. Since, the accused is on bail, hence, his respective bailors are ordered to be discharged from the liabilities of their respective bail bonds and the accused is set at liberty forthwith.

Dictated & Corrected by me and pronounced in open court in Presence of both side signed and sealed on 08th day of June 2026.

(Amit Ranjan Upadhyay)
Addl. Sessions Judge- I
Munger
08.06.2026

(Amit Ranjan Upadhyay)
Addl. Sessions Judge - I
Munger
08.06.2026

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Rank of the Accused	Name of the Accused persons	Date of Arrest/ Surrender	Date of Release on Bail	Offenses Charged with	Whether Acquitted or convicted	Sentence Imposed	Period of Detention undergone during Trial for purpose of section 428 Cr.P.C.
1.	Somnath	23.12.2022	23.12.2022	366(A) of the I.P.C.	Acquitted	N.A	N.A

Appendix
Form C

List of Prosecution/Defence/Court witnesses (A) Prosecution

Sl. No.	Witness No.	Witness Name	Witness Nature
1.	PW-1	Gulo Bind	Informant
2.	PW-2	Urmila Devi	Other Witness
3.	PW-3	Victim X	Victim

(B) Defence witness, if any.....Nil.

Sl. No.	Witness No.	Witness Name	Witness Nature
N.A	N.A	N.A	N.A

(C) Court Witnesses.....Nil

LIST OF Prosecution/Defence/Court Exhibits

(A) Prosecution

Sl. No.	Exhibit No.	Description Of Exhibit
1.	Exhibit-P-1	Statement of victim u/s 164 of the Cr.P.C.

(B) DefenceNil

(C) Court Exhibits.....Nil

(D) Material ObjectsNil.

(Amit Ranjan Upadhyay)
Addl. Sessions Judge- I
Munger
08.06.2026

Date of Judgment / Order	08.06.2026
Date of Reserving Judgment / Order	08.06.2026
Uploading Date	12.06.2026
Uploaded By	Amit Kumar (Data Entry Operator)