

District :- Madhepura

C.D-7236
08 Sheet

**IN THE COURT OF THE PRINCIPAL DISTRICT & SESSIONS JUDGE,
MADHEPURA**

Present:- **Balram Dubey,**
Bihar Superior Judicial Service

Sessions Trial No. 372/2025

CIS No. 372/2025

(Arising out of Madhepura (Ghailardh O.P.) P.S. Case No. 401/2018)

Date of Judgment – Saturday, the 2nd day of May, 2026

Informant/Prosecution	State of Bihar Through the Informant Sanju Devi w/o Tuntun Tanti, R/O. Village - Srinagar, Ward No. 11, P.S. Ghailardh, District- Madhepura.
REPRESENTED BY	Sri Bibeka Kumar Singh, Learned Public Prosecutor
ACCUSED PERSONS	1. Badri Tanti aged about 52 years S/o Late Achak Das, 2. Saini Tanti aged about 65 years S/o Late Achak Tanti, 3. Maini Tanti aged about 60 years S/o Late Achak Tanti, 4. Kailash Tanti @ Ravishankar aged about 27 years S/o Badri Tanti, 5. Shanti Devi aged about 52 years W/o Badri Tanti, 6. Anmol Tanti aged about 36 years S/o Upendra Das, 7. Amerika Devi aged about 61 years W/o Saini Tanti, All R/o village – Srinagar, P.S. - Ghailardh, District-Madhepura.
REPRESENTED BY	1. Sri Dilip Kumar Sinha, Advocate

Abridged Chronology of the Case

District	Madhepura	
Police Station	Madhepura (Ghailardh O.P.) P.S.	
Date of Occurrence		08.06.2018
FIR	401 of 2018	09.06.2018
Charge sheet	14 of 2019	21.02.2019
Cognizance	u/s. 341, 323, 337, 325, 307, 354 A, 504/34 of I.P.C.	10.01.2025
Commitment		14.10.2025
Charge	u/s. 341/34, 323/34, 337/34, 325/34, 307/34, 354A/34 & 504/34 of I.P.C.	13.11.2025
Commencement of Evidence		16.12.2025
Prosecution Evidence closed		21.04.2026
Statement u/s. 313 of Cr.P.C.		29.04.2026
Defence evidence closed		29.04.2026

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Argument Closed		29.04.2026
Date of Judgment		02.05.2026
Date of Sentencing Order, if any		

Rank of the Accused	Name of Accused	Date of Arrest	Date of release on Bail	Offences Charged with	Whether Acquitted or convicted	Sentence Imposed	Period of Detention Undergone during Trial for purpose of section 428, Cr.P.C.
1.	Badri Tanti	N.A.	24.08.2018	u/ss. 341/34, 323/34, 337/34, 325/34, 307/34, 354A/34 & 504/34 of I.P.C.	Acquitted	Not applicable since the accused has been acquitted	Section 428 of the Cr.P.C. not applicable since the accused has been acquitted.
2.	Saini Tanti	N.A.	24.08.2018	u/ss. 341/34, 323/34, 337/34, 325/34, 307/34, 354A/34 & 504/34 of I.P.C.	Acquitted	Not applicable since the accused has been acquitted	Section 428 of the Cr.P.C. not applicable since the accused has been acquitted.
3.	Maini Tanti	N.A.	24.08.2018	u/ss. 341/34, 323/34, 337/34, 325/34, 307/34, 354A/34 & 504/34 of I.P.C.	Acquitted	Not applicable since the accused has been acquitted	Section 428 of the Cr.P.C. not applicable since the accused has been acquitted.
4.	Kailash Tanti @ Ravishankar	N.A.	24.08.2018	u/ss. 341/34, 323/34, 337/34, 325/34, 307/34, 354A/34 & 504/34 of I.P.C.	Acquitted	Not applicable since the accused has been acquitted	Section 428 of the Cr.P.C. not applicable since the accused has been acquitted.
5.	Shanti Devi	N.A.	24.08.2018	u/ss. 341/34, 323/34, 337/34, 325/34, 307/34, 354A/34 & 504/34 of I.P.C.	Acquitted	Not applicable since the accused has been acquitted	Section 428 of the Cr.P.C. not applicable since the accused has been acquitted.
6.	Anmol Tanti	N.A.	24.08.2018	u/ss. 341/34, 323/34, 337/34, 325/34, 307/34, 354A/34 & 504/34 of I.P.C.	Acquitted	Not applicable since the accused has been acquitted	Section 428 of the Cr.P.C. not applicable since the accused has been acquitted.
7.	Amerika Devi	N.A.	24.08.2018	u/ss. 341/34, 323/34, 337/34, 325/34, 307/34, 354A/34 & 504/34 of I.P.C.	Acquitted	Not applicable since the accused has been acquitted	Section 428 of the Cr.P.C. not applicable since the accused has been acquitted.

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J U D G M E N T

(1) All the above named seven accused persons namely (1) Badri Tanti, (2) Saini Tanti, (3) Maini Tanti, (4) Kailash Tanti @ Ravishankar, (5) Shanti Devi, (6) Anmol Tanti and (7) Amerika Devi stand charged for the offence punishable under sections 341/34, 323/34, 337/34, 325/34, 307/34, 354A/34 and 504/34 of the Indian Penal Code (hereinafter referred to as "I.P.C.").

Factual Background

(2) As per written report of informant Sanju Devi, allegation is that on 08.06.2018 at about 04:00 O' clock when measurement of her basdih land was being done by Anchal Amin then the accused persons facing trial being armed with weapons came and uprooted the fencing made of bamboo-sticks and when her husband Tuntun Tanti went to stop them, the accused Badri Tanti gave a dabiya blow on his head due to which he fell down being injured and when she went to rescue her husband then the accused Shanti Devi caught her hair-lock and dashed her to the ground and assaulted her by bamboo and the accused Ravishankar dragged her by catching her legs due to which she became naked and when she raised alarm then the accused Saini Tanti and Maini Tanti assaulted her with khanti causing injury to her and Nitish gave a dabiya blow on Ramesh Tanti and the accused Anmol Tanti assaulted Rita by bamboo and Badri Tanti ordered to kill whoever comes for rescue of them, thereafter, Renu Kumari and Krishna Kumar pelted bricks which caused fracture in the hand of Panchu Tanti and wife wife of Saini Tanti used to bring lathi, khanti and dabiya from house and gave to the accused persons. Thereafter, the accused persons went away with threatening to kill them whenever they are seen.

(3) On the basis of above written petition of the informant, an F.I.R. was registered by the police and after completion of investigation, the police submitted charge-sheet against the above named accused persons facing trial. After having taken cognizance, the case was committed to the Court of Sessions.

Trial Proceedings



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(4) After hearing both sides and on the basis of materials available on record, charges were framed against the above named accused persons on 13.11.2025 for the offence punishable under section 341/34, 323/34, 337/34, 325/34, 307/34, 354A/34 and 504/34 of the I.P.C. The contents of charges were read over and explained to the accused persons in Hindi to which they pleaded not guilty and claimed to be tried.

(5) The prosecution has produced following evidence :-

1. **Oral Evidence:**

Sl. No.	NAME	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
PW1	Birendra Mehta	Other Witness
PW2	Rambalak Mehta	Other Witness
PW3	Sanju Devi	Informant
PW4	Reeta Devi	Other Witness
PW5	Manjay Tanti	Other Witness
PW6	Sanichar Tanti	Other Witness
PW7	Suman Kumar	Formal Witness

2. **Documentary Evidence:**

Sr. No.	Exhibit Number	Description
1	Exhibit- 1	Signature of witness on the written petition
2	Exhibit- 2	Writing & Signature on the endorsement of F.I.R.
3	Exhibit- 3	Writing & Signature on the Charge-sheet

(6) After completion of the prosecution evidence, statement of above named accused persons u/s. 313 Cr.P.C. was recorded on 29.04.2026 by putting all incriminating

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evidence available against them, to which they denied and pleaded that they are innocent and falsely implicated in this case and said that they do not want to adduce any evidence in support of their defence.

(7) The defence did not produce any oral or documentary evidence.

Brief statements of the prosecution witnesses:-

(8) P.W. 1- Birendra Mehta and P.W. 2- Rambalak Mehta have stated in their respective evidence that they know nothing regarding the occurrence and their statements were not recorded by police. Further, they have been declared hostile at the request of the prosecution.

(9) P.W. 3- Sanju Devi (informant) has stated in her examination-in-chief that she does not remember as to when the occurrence had taken place. She has further stated that there was an altercation and scuffle with the accused persons facing trial for breakage of fencing in which she fell down and received injury for which she had given her written petition before the Ghailarh (O.P.) Police Station which bears her signature and on her identification her signature has been marked as Ext. 1. During cross-examination the informant has stated at para- 4 that there was much crowd at the time of occurrence in which she fell down on the brick due to scuffle and received injury. At para- 5 she has stated that none of the accused persons had scuffled with her nor anyone tried to kill her nor anyone had tried to outrage her modesty. At para- 6 she has stated that the accused persons had not assaulted or misbehaved with her. At para- 9 she has stated that she has no knowledge about the contents of the written petition as the same was neither read over to her nor she herself got a chance to read the same rather she had only put her signature over the same.

(10) P.W. 2- Reeta Devi has stated in her examination-in-chief that some altercation was going on between Sanju Devi and the accused persons in which she received injury. During cross-examination this witness has stated at para- 3 that there was much crowd at the time of occurrence in which she slipped during scuffle and fell down due to which she

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received injury. At para- 4 & 5 she has stated that none of the accused persons had neither assaulted to her or her husband Ramesh Tanti nor had they abused nor had threatened them and she has no complaint against the accused persons.

(11) P.W. 3- Manjay Devi has stated in his examination-in-chief that some altercation was going on between Sanju Devi and the accused persons in which he received injury. During cross-examination this witness has stated at para- 3 that there was much crowd at the time of occurrence in which he slipped during scuffle and fell down due to which he received injury. At para- 4 & 5 he has stated that none of the accused persons had neither assaulted him nor had they abused/misbehaved with him nor had threatened him and he has no complaint against the accused persons.

(12) P.W. 4- Sanichar Tanti has stated in his examination-in-chief that some altercation was going on between Sanju Devi and the accused persons in which he received injury. During cross-examination this witness has stated at para- 3 that there was much crowd at the time of occurrence in which he slipped during scuffle and fell down due to which he received injury. At para- 4 & 5 he has stated that none of the accused persons had neither assaulted him nor had they abused/misbehaved with him nor had threatened him and he has no complaint against the accused persons.

(13) P.W. 7- Suman Kumar is a formal witness who has identified the writing and signature of the then S.H.O., Sanjeev Kumar on the endorsement of F.I.R. of this case which has been marked as Ext. 2. He has further identified the writing and signature of the S.I. Rajesh Chaudhary over the charge-sheet of this case which has been marked as Ext. 3. He has stated in his cross-examination that none of the exhibits has been prepared in his presence.

Argument advanced by the sides

(14) Learned P.P. argued that the prosecution has proved its case beyond the shadow of all reasonable doubts by the prosecution witnesses and with documentary evidences. Learned P.P. further argued that the witnesses have not stated truth before the court because



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they have come in collusion with the accused persons. He further prayed to hold guilty to the accused persons.

(15) Per contra, Learned Defence Counsel has argued at length and submitted that the prosecution has miserably failed to prove its case against the accused persons beyond the shadow of all reasonable doubts. Learned Counsel further submitted that the prosecution has not been able to produce a single witness, who can support the prosecution case. He has further submitted that out of seven witnesses two are hostile and three witnesses have got no complaint against the accused persons and P.W. 7 is a formal witness. He has further submitted that even the informant herself could not prove her case at all and deferred from the contents of her written petition itself. Further the Learned Counsel prayed to acquit the accused persons from the charges levelled against them.

Points for determination

(16) Now the main point for determination before me is whether the prosecution has been able to prove the charges levelled against the accused persons beyond all reasonable doubts or not?

Finding, Decision and Reasons for the decision

(17) So far as propositions and interpretations of the evidence of prosecution is concerned, it is hereby scrutinized within the prescribe legal parameter and in order to ensure the retributive justice on all counts, the facts, circumstances, either mitigating or aggravating whichever may be, in consonance with even the minuscule material brought on record stand juxtaposed.

(18) Heard the argument advanced by the Learned P.P. on behalf of the prosecution and the Learned defence Lawyer and having gone through the entire evidence on record it appears that PW1 & PW2 are hostile witnesses who have stated in their respective evidence that they have no knowledge about the occurrence. PW4, PW5 & PW6 have clearly stated that they had received injury due to fall and none of the accused persons had assaulted/ abused/



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misbehaved with them nor they had threatened them and they have got no complaint against the accused persons. P.W. 7 is a formal witness. P.W. 3, who is informant of this case, has clearly stated in her evidence that none of the accused persons had assaulted her and she received injury due to fall in the crowd he received injury due to fall in the crowd and none of the accused persons had assaulted her nor they tried to kill her nor they tried to outrage her modesty nor they misbehaved with her. She has also stated that she has no knowledge regarding the contents of the written petition as the same was neither read over to her nor she herself could read the same rather she had only put her signature over the same. It is crystal clear here that even the informant herself could not prove the case against the accused persons.

(19) On the basis of above discussion and on perusal of the evidence and material available on record, I come to an irresistible conclusion to hold and find that the prosecution has utterly failed to prove the charges levelled against the accused persons u/s. 341/34, 323/34, 337/34, 325/34, 307/34, 354A/34 and 504/34 of the I.P.C. beyond the shadow of all reasonable doubts. Under the circumstances, the above named accused persons deserve acquittal.

ORDER

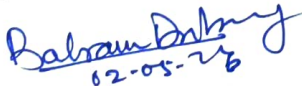
(20) That all the above named seven accused persons namely (1) Badri Tanti, (2) Saini Tanti, (3) Maini Tanti, (4) Kailash Tanti @ Ravishankar, (5) Shanti Devi, (6) Anmol Tanti and (7) Amerika Devi stand acquitted of the charges levelled against them under section 341/34, 323/34, 337/34, 325/34, 307/34, 354A/34 and 504/34 of the Indian Penal Code.

(21) Since the above named accused persons are on bail, they and their sureties are discharged from the liabilities of their bail bonds.

(22) The file of this sessions trial be deposited to D.R.R., Madhepura after necessary compliance, if any.

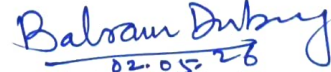
Judgment pronounced by me
and explained in Hindi in open
court

Dictated & corrected by me


02-05-26
BALRAM DUBEY
Sessions Judge,
Madhepura.

The 2nd day of May, 2026




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BALRAM DUBEY
Sessions Judge,
Madhepura.

The 2nd day of May, 2026