

**IN THE COURT OF PRINCIPAL DISTRICT & SESSION JUDGE-
MUZAFFARPUR.**

Civil Court, Muzaffarpur

District: Muzaffarpur.

Session Trial No. 162/2020

(Arising out of Sadar P.S.Case No.250/2006)

1. State of Bihar**Prosecution**

Versus

1. Laxmi Narain Singh @ Laxmi Singh, aged about 53 years, S/o-late Binda Singh (Resident of village –Patahi, P.S. Patahi, district-East Champarn).

Accused person

Name of P. S. : – Sadar

FIR No. –250/2006

FIR u/s: 364(A) and 120(B)/34 of the Indian Penal Code

Committed on :- 21.12.2020

District: - Muzaffarpur.

Charges framed under : 364(A) and 120(B) of the Indian Penal Code.

Learned Counsel for the State: Sri Ajay Kumar , P.P.

Learned Counsel for the Accused: Sri Priya Ranjan, Advocate.

DATE OF JUDGMENT: 18.06.2026

PRESENT: SHWETA KM. SINGH

J U D G M E N T

- 1.** The prosecution has charged the accused namely, Laxmi Narain Singh @ Laxmi Singh with offence punishable under section 364(A) and 120(B) of the Indian Penal Code.
- 2.** The prosecution story, in brief, as per the fardbyan of the informant Shyam Kumar Singh, is that, his son Atul Kumar left his house at about 10.00 am on 24.09.2006 for Patna but he did not return. The informant gave information to police of Kanti P.S. and the same petition was forwarded to Sadar P.S. The informant came to know while he was returning after giving information to the police station that the boy who was accompanying his son

Atul on the rickshaw, was the son of Prem Kumar Singh, resident of Mohalla-Sir Ganesh Dutt, Road No.1 and his name is Manish Kumar. The informant further disclosed that when he enquired from Manish Kumar, he gave different versions about Atul. The informant also alleged that his son was having mobile no.9931966924. The informant also received call for ransom of Rs. 15 Lacs.

3. Based on the report of informant namely, Shyam Kumar Singh, the police registered an FIR bearing Sadar P.S.Case No.250/2006, dated 28.09.2006 against one accused namely, Manish Kumar. After completion of investigation, the police submitted supplementary chargesheet no.425/2011, dated 01.12.2011, u/s 364(A) and 120(B)/34 of the IPC against accused Mukesh Singh and Laxmi Singh. The offence punishable u/s 364(A) and 120(B)/34 of the IPC was exclusively triable by the court of sessions, so the case of both the accused persons was committed to the Court of Sessions vide order dated 21.12.2020.

It is pertinent to mention here that accused Mukesh Singh remained absent and after exhausting processes against him, his case was separated vide order dated 24.11.2025. Thereafter charge was framed against the accused Laxmi Narain Singh @ Laxmi Singh on 20.02.2026, u/s 364(A) and 120(B) of the IPC, the same was read over and explained to the accused in Hindi, to which he pleaded not guilty and claimed trial.

4. During trial, the prosecution examined one witness as P.W.-1 Shyam Kumar Singh, informant of this case. No documentary evidence has been produced on behalf of prosecution.
5. On request of the learned counsel for the State, Sri Ajay Kumar, prosecution evidence was closed vide order dated 17.03.2026 and the statement of accused u/s 313 Cr.P.C. was recorded on 20.04.2026, wherein the accused denied the charge against him and claimed to be innocent. On the prayer of accused, defence evidence was closed on the same day and matter was posted for arguments.

ARGUMENTS ON BEHALF OF THE PARTIES:-

6. The learned Counsel appearing on behalf of the accused submitted that the witness examined on behalf of prosecution has not supported its case and as such, the prosecution has failed to bring home the charge against the accused and hence, could not prove its case beyond reasonable doubt.
7. Now the question that arises for determination before this court is, whether the prosecution has been able to prove its case beyond reasonable doubt and been able to bring home the charge levelled against the accused to attribute him with the culpability of the offence alleged.

APPRECIATION OF EVIDENCE LED BY THE PROSECUTION AND THE LAW WITH RESPECT TO IT:

8. **PW-1 Shyam Kumar Singh** in his examination-in-chief says, “ I filed this case. The incident occurred approximately 20-21 years ago, in the year 2006. My son Atul Kumar was kidnapped. I went to the police and with the help of administration, my son was recovered after approximately a month. I had earlier also testified in this case, in the case which is going on against other accused related to this case. I do not recognize the accused. This is a photocopy of the written application, signed by me, that I submitted to the police station. Photocopy of application is marked ‘X’ for identification”.

In cross-examination, PW-1 says “ my son still lives with me. My son also did not recognize any of the accused nor did he disclose the name of any accused.”

APPRECIATION OF EVIDENCE LED BY THE PROSECUTION AND THE LAW WITH RESPECT TO IT:

9. Now, in the facts of the given case, it is apparent from the testimony of the witness, PW-1 Shyam Kumar Singh, who happens to be the father of victim,

who was allegedly kidnapped, that the prosecution has failed to bring home the charge against the above named accused. He has categorically stated that he does not know the accused and his son neither identified any accused nor disclosed their names.

10. Accordingly, this court is of the considered opinion that the prosecution has not been able to prove its case beyond shadow of reasonable doubts. It seems judicious to give benefit of doubt to the accused in this case. Thus, in light of the aforementioned facts and discussions, this court had arrived on the following veritable conclusion:

(i) Accused namely, 1. Laxmi Narain Singh @ Laxmi Singh, son of late Binda Singh stands acquitted of the charge levelled against him.

(ii) In compliance of Sec.437-A of the code of Criminal Procedure, the accused and his bailors/sureties would be discharged from their respective liabilities as to their bail bonds, after completion of 6 months herefrom.

(iii) The office is directed to recall the processes issued against the accused in this case, if any.

The judgment was pronounced in the open court through VC and read over to the parties present.

The judgment was typed and corrected by Me:

sd/-

(Shweta Km. Singh)
Principal District & Sessions Judge,
Muzaffarpur.
(Dated 18th Day of June, 2026)