

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

Civil Court, Muzaffarpur

District: Muzaffarpur.

Session Trial No. 1083/2025

(Arising out of Aurai P.S.Case No.191/2019)

1. State of Bihar

Prosecution

Versus

**1. Naroj Ram @ Niroj Ram, aged about 30 years ,
S/o- late Shivdhari Ram
(Resident of village – Barhada, P.S. Hathauri,
District- Muzaffarpur).**

Accused person

Name of P. S. : – Aurai

FIR No. –191/2019

FIR u/s: 363 and 366(A)/34 of the Indian Penal Code

Committed on :- 20.11.2025

District: - Muzaffarpur.

Charges framed under : 363 and 366 of the Indian Penal Code.

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

Learned Counsel for the Accused: Sri Ram Babu Roy, Advocate.

DATE OF JUDGMENT: 17.04.2026

PRESENT: SHWETA KM. SINGH

J U D G M E N T

- 1. The prosecution has charged the accused namely, Naroj Ram @ Niroj Ram, son of late Shivdhari Ram, with offences punishable under sections 363 and 366 of the Indian Penal Code.**

2. The prosecution story, in brief, is that on 18.07.2029, at about 04.00 pm, the daughter of the informant, went to Aurai Chauk to buy some articles. It was then that the accused namely Naroj Ram, Santosh Ram, Mantosh Ram and Kavita Devi kidnapped her daughter with intent to kill her after committing wrong acts with her. It is further alleged that the Tempo of Sunil Ram was used in carrying out the said act.
3. Based on the report of informant namely, Mangali Devi, the police registered an FIR bearing Aurai P.S.Case No.191/2019, dated 06.08.2019 against the accused persons. After completion of investigation, the police submitted charge-sheet no. 107/2023, dated 30.05.2023, u/ss 363 and 366(A) of the IPC, against accused Naroj Ram and the case against rest of them was found to be untrue. The offences punishable u/ss 363 and 366(A) of the IPC, being exclusively triable by the court of sessions, the case record was committed to the Court of Sessions vide order dated 20.11.2025. Thereafter charges were framed against the accused on 17.12.2025, u/ss 363 and 366 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 two witnesses as P.W.-1 Lakhindra Paswan and P.W.-2 Mangli Devi. 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 02.04.2026, wherein the accused denied the charges 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 witnesses examined on behalf of prosecution have 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 charges 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 Lakhindra Paswan** in his examination-in-chief says, “I am not aware of the incident and did not give statement to the police. Halindar Paswan is my brother. I am unaware of my niece’s kidnapping and at that time, I was outside. I have no idea as to when and who kidnapped my niece.”
9. **PW-2 Mangli Devi**, (informant) in her examination-in-chief says, “ I filed the case. I don’t remember how much time has passed since the incident. My daughter went to my parent’s house when I scolded her. I did not know it at the time, so I filed the case. I had got the report written at the police station. Niroj is present in court. I recognize him, he is my son-in-law. My daughter later married him”.

During her cross-examination, this witness says, “accused is my son-in-law. He married my daughter two years after the incident. The case filed by me was not read over to me, I had just put my thumb impression. Accused had not taken my daughter with him”.

10. Now, in the facts of the given case, it is apparent from the testimony of the witnesses, especially PW-2 Mangli Devi, who happens to be the mother of victim and the informant, that the prosecution has failed to bring home the charge against the above-named accused. She has categorically stated that her daughter was not kidnapped by the accused and is now married to him.

11. 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, considering the aforementioned facts and discussions, this court had arrived on the following veritable conclusion:

- i) Accused namely, (i) Naroj Ram @ Niroj Ram, S/o- late Shivdhari Ram stands acquitted of charges 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 here from.
- 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 and read over to the parties present.

The judgment was typed and corrected by Me:

Sd/-
(Shweta Kumari Singh)
Principal District and Sessions Judge,
Muzaffarpur.
17.04.2026