

Present: Naresh Mahto

IN THE COURT OF A.C.J.M - 1st (W), Muzaffarpur CIVIL COURT, MUZAFFARPUR, BIHAR DATE OF JUDGMENT:- 08.07.02026 COMPLAINT CASE NO:- 1667/2007 Trial No. :- 241/2022	
Complainant	Lalbabu Rai, S/o Late Sone Lal Rai, R/o Village- Bajitpur Kodariya, P.S-Kudhani, District- Muzaffarpur
Represented by	Advocate- Sri. Rajesh Kumar
Accused	1. Shatrughan Ram, S/o Ram Prasad Ram, aged about 45 years 2. Laddu Ram, S/o Ram Prasad Ram, aged about 40 years 3. Ram Nath Ram, S/o Late Budhu Ram, aged about 50 years 4. Patni Ram @ Rajmangal Ram, S/o Late Musafir Ram, aged about 50 years All R/o Village-Bajitpur Kodariya, P.S-Kudhani, District- Muzaffarpur
Represented by	Advocate- Sri. Kavindra Pd. Yadav

FORM B

Date of offence	11.11.2007
Date of cognizance/prima facie	31.03.2008
Date on which charge framed	09.08.2019
Date of commencement of evidence	17.10.2019
The date on which Judgment is reserved	08.07.2026
Date of Judgment	08.07.2026

Accused details

The rank of the accused	Name of the accused	Date of arrest	Date of release on bail	Offences charged with	Acquittal or conviction	Sentence Imposed	Detention during trial u/s 428 Cr. P.C
1.	Shatrughan Ram	NA	08.05.08	Section 323, 380, 504 of IPC	Acquittal	NA	NA
2.	Laddu Ram	NA	08.05.08	Section 323, 380, 504 of IPC	Acquittal	NA	NA
3.	Ramnath Ram	NA	08.05.08	Section 323, 380, 504 of IPC	Acquittal	NA	NA
4.	Patni Ram @ Rajmangal Ram	NA	01.04.19	Section 323, 380, 504 of IPC	Acquittal	NA	NA

Judgment

1. In the instant case accused persons namely, 1. Shatrughan Ram, 2. Laddu Ram, 3. Ram Nath Ram and 4. Patni Ram @ Rajmangal Ram are facing trial for committing the offences punishable u/s 323, 380, 504 of IPC. In the course of trial accused persons namely 1. Ram Prasad Ram and 2. Lakshman Ram were died on 12.04.2026 and 20.06.2016, and the proceeding of deceased 1. Ram Prasad Ram have been vide order dated 28.04.2026 and 02.07.2026 respectively.
- 2 The story of the complainant in brevity is that the complainant stated that accused No. 1, Shatrughan Ram, came to his shop (Yogi's Battery Shop) at 8:00 and asked for a battery to watch a CD. The informant refused to provide the battery, explaining that none of the batteries were charged and that using an uncharged battery would ruin it. Enraged by this, Accused No. 1 tried to take the battery by force. When the informant still refused, Accused No. 1 became furious and threatened to "teach him a lesson." Later that night, around 6:00 PM, as the informant was closing his shop, the accused arrived armed with sticks and rods, shouting abuses. They yelled, "Beat the bastard! He won't give us a battery, nor does he pay us extortion money." Saying this, they demanded extortion money and ordered that his shop be looted. All the accused then barged into the shop and looted three 24-plate batteries (worth ₹14,000) and three 11-plate batteries (worth ₹20,000); additionally, Accused Lakshuman Ram took ₹24,000 from the informant's cash box. They left while threatening, "Go wherever you want to complain; if you do, we will kill you."
- 3 This complaint has been filed before the court on 13.11.2007 and After inquiry prima facie case has been made out u/ss 323, 380, 504 of I.P.C. against accused persons named in the complaint petition on 13.11.2007 and presently being tried by me. In this case, charge has been framed to the accused persons under section 323, 380, 504 of I.P.C on 09.08.2019 and read over and explained to the accused person to which they refuted and pleaded not guilty and claimed to be tried.
- 4 The statement of the accused u/s 313 Cr.P.C was recorded on 19.01.2026. The accused persons claimed the evidence against them to be false and pleaded innocence as their general defence. The judgment was pronounced on 08.07.026.
- 5 Now the question for judgment before me is that whether the complainant has been able to prove the charges leveled against

the accused persons beyond the shadow of all reasonable doubts or not.

FINDINGS

- 6 In the course of trial complainant has produced sole witness in support of his case. CW-1 Lal Babu Rai (complainant) is witness of this case. Any other oral or documentary evidence has not been produced on behalf of the complainant. Defense has not produced any oral evidence or documentary evidence .
- 7 **CW-1 Lal Babu Rai** has deposed in para 1 in his examination chief that the incident of year 2007. it is of 11.11.2007. Shtrughan Ram, Lakshuman Ram, Ram Prasad Ram, etc. came to his shop asking for a battery, he will charge the battery and give it to them. When he told the accused that the battery is not charged, the accused took up sticks and started abusing him and took the battery from shop and left. Ram Prasad Ram is present. He further stated that he will identity the others as well seeing them. Further she has deposed in her **cross examination of evidence before charge** that the accused came to the shop and he did not see who took the battery. He has reached a compromise with all the accused. He has signed the compromise. He has no objection to the case being dismissed based on the compromise.
- 8 Arguing on behalf of accused Ld. Counsel submitted that his clients are innocent and had not committed any such offence as alleged by the complainant as the complainant claim is wrong. The complainant himself did not turn up after charge evidence. The Learned counsel of the complainant did not turn up before the court for the argument.
- 9 This is the whole evidence and apart from it nothing has been brought before the court on the point of section 323, 380, 504 of I.P.C. CW-1 Lal Babu Rai stated in her evidence that he has happily settled this case with everyone. Since there has been a compromise, he does not wish to testify any longer. In this case, Charge has been framing read over and explain to the accused person on dated 09.08.2019 the court has given several direction to the complainant to adduce their after charge evidence but complainant neither turn up after charge evidence to support the complainant case. Complainant is duty bound to prove the charge beyond the reasonable doubts but nothing happen in this case sufficient time have been given to the complainant. In this case, neither complainant and nor other witnesses turn up to support the complainant case there is no any progressive evidence on the record. Thus in absence of non examination of after charge

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evidence of the complainant and any other witnesses cumulative makes the complainant case highly doubtful. There is a lack of adequate evidence to substantiate properly, the charges as framed against the said accused persons. CW-1 Lal Babu Rai (complainant) has fully supported the factum of compromise in his testimony Parties have also compromised the case and he does not want to fight this case nor does he want to give any testimony. Hence liberal approach should also be adopted for the betterment and smooth running as well as peaceful functioning of the society.

10 On the basis of the discussions made above, I found and accordingly hold that complainant has failed to prove the charges leveled against the accused beyond the shadow of all reasonable doubts.

ORDER

11 Accordingly, the accused persons namely, **1. Shatrughan Ram, 2. Laddu Ram, 3. Ram Nath Ram and 4. Patni Ram @ Raj-mangal Ram** are facing trial in this case is hereby **acquitted** from the charges of offences u/ss 323, 380, 504 of IPC and their bailors are also discharged from the liabilities of their respective bail bonds. Also, o/c is directed to deposit the record in the record room as per the rule.

Judgment has been written, (typed) corrected dated signed and sealed and pronounced by me in open court today dated 08th Day of July, 2026.

Dated: 08th Day of July, 2026.

Typed and Corrected

Sd/-

(Naresh Mahto)
Additional Chief Judicial Magistrate 1st
Muzaffarpur (West)

APPENDIX

FORM C
LIST OF PROSECUTION/DEFENCE/COURT WITNESSES
A. PROSECUTION WITNESS

Rank	Name
CW 1	Lal Babu Rai

B. DEFENCE WITNESS

Rank	Name
DW-1	NA

LIST OF PROSECUTION/DEFENCE/COURT EXHIBITS
A: PROSECUTION

Sr. No	Exhibit Number
1.	NIL

B: DEFENCE

Sr. No	Exhibit Number
1	NIL

C: COURT EXHIBITS

Sr. No	Exhibit Number
1	NIL

C: MATERIAL EXHIBITS

Sr. No	Exhibit Number
1	NIL

Date of Judgment/Order	08.07.2026
Date of Reserving Judgement / Order	08.07.2026
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