



Presented on : 15-02-2025
Registered on : 15-02-2025
Decided on : 24-06-2026
Duration : 1 years, 4 months, 9 days

FORM – A

**IN THE COURT OF DISTRICT & ADDITIONAL SESSIONS JUDGE-IInd,
Nalanda at Biharsharif**
Present : Khyati Singh
[Date of Judgment – 24.06.2026]
State Versus Sagar Kumar & Others
Sessions Trial No. 140/2025, CNR No. BRNL010012912025
[Arising out of Sohsarai P.S. Case No. 29/2020, G.R. No. 588/2020]

PROSECUTION/INFORMANT	Rahul Kumar
REPRESENTED BY	Sri Amir Prasad Singh, Ld. Addl. P.P.
ACCUSED PERSONS	1. Sagar Kumar, aged about 26 years, S/o Pramod Kumar, 2. Vicky Kumar, aged about 27 years, S/o Anil Kumar, 3. Vishal Kumar, aged about 25 years, S/o Anil Kumar, all are r/o mohalla-Asha Nagar, P.S.-Sohsarai, District Nalanda
REPRESENTED BY	Sri Sanjay Kumar Acharya (Ld. Advocate)

FORM – B

Date of offence	03-02-2020
Date of FIR	03-02-2020
Date of charge sheet	15-05-2020
Date of cognizance	02-09-2023
Date of commitment	07-02-2025
Date of framing of charge	19-02-2025
Date of commencement of evidence	03-09-2025
Date on which Judgment is reserved	-
Date of the Judgment	24-06-2026
Date of the Sentencing order	-

**IN THE COURT OF DISTRICT & ADDITIONAL SESSIONS JUDGE-II,
Nalanda at Biharsharif**

Present : Khyati Singh

Sessions Trial No. 140/2025, CNR No. BRNL010012912025

[Arising out of Sohsarai P.S. Case No. 29/2020, G.R. No. 588/2020]

[Date of Judgment – 24.06.2026]

ACCUSED DETAIL

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.
A1	Sagar Kumar	04-02-20	12-02-20	U/s 147, 148, 307/149, 323/149, 341/149, 504/34, 506 IPC	Acquitted	-	-
A2	Vicky Kumar	-	17-02-20	- DO -	Acquitted	-	-
A3	Vishal Kumar	-	17-02-20	- DO -	Acquitted	-	-

FORM C

Prosecution Witnesses

RANK	NAME
P.W.1	Madhu Devi
P.W.2	Rahul Kumar @ Rahul Raj
P.W.3	Golu Raj

FORM D

Defence Witnesses

RANK	NAME
NIL	NIL

FORM E

Court Witnesses, if any

RANK	NAME
NIL	NIL

LIST OF PROSECUTION/DEFENCE/COURT EXHIBITS

A Prosecution

B

S.No	Exhibit number	Description
1	P-1/PW-2	Signature of the informant on the written report

**IN THE COURT OF DISTRICT & ADDITIONAL SESSIONS JUDGE-II,
Nalanda at Biharsharif**

Present : Khyati Singh

Sessions Trial No. 140/2025, CNR No. BRNL010012912025

[Arising out of Sohsarai P.S. Case No. 29/2020, G.R. No. 588/2020]

[Date of Judgment – 24.06.2026]

B Defence exhibits:-

Sl No.	Exhibit number	Description
1.	NIL	NIL

C. Court Exhibits

Sl No.	Exhibit number	Description
1.	NIL	NIL

JUDGMENT

1.	The above named accused persons stand charged for committing the offences punishable u/s 147, 148, 307/149, 323/149, 341/149, 504/34, 506 of the IPC.
2.	The case of the prosecution as unfolded in the written report of the informant, namely, Rahul Kumar, in brief, is that on 03.02.2020 at about 07:15 PM the accused Sagar Kumar, Vicky Kumar, Vishal Kumar and four unknown persons came to the house of the informant and started abusing him. His mother and brother Golu Kumar came out of the house and protested to them then, all the accused persons started assaulting the informant and his brother with belt and fist and slaps due to which Golu Kumar sustained cut injury at his head. On hearing alarm, the neighbours came then the accused persons fled away giving threatening. It has been stated that the cause of occurrence is that the informant had taken Rs. 15,000/- from his mother and gave to the accused Sagar Kumar due to friendly relationship and when he asked to give the money back, the accused persons caused this occurrence.
3.	The said written report of the informant gave birth to the institution of Sohsarai P.S. case no. 29/2020 dated 03.02.2020 registered u/s 147, 148, 149, 341, 323, 504, 507, 307 of the IPC against the accused persons as named in the written report. The I.O. has submitted the charge sheet bearing No.113/2020 dated 15.05.2020 against the above named accused persons u/s 147, 149, 341, 323, 504, 506 of the IPC.

**IN THE COURT OF DISTRICT & ADDITIONAL SESSIONS JUDGE-II,
Nalanda at Bihar Sharif**

Present : Khyati Singh

Sessions Trial No. 140/2025, CNR No. BRNL010012912025

[Arising out of Sohsarai P.S. Case No. 29/2020, G.R. No. 588/2020]

[Date of Judgment – 24.06.2026]

4. The cognizance of the offences was taken by the learned Judicial Magistrate-1st Class, Nalanda at Bihar Sharif on 02.09.2023 u/s 147, 148, 149, 341, 323, 504, 506, 307 of the IPC against the above named accused persons and the case was committed to the Court of Sessions on 07.02.2025. After that, the case record was received to the Court of Sessions on 15.02.2025 and then in due course of time it came to the file of this Court on 12.06.2025.
5. The charges were framed against the above named accused persons u/s 147, 148, 307/149, 323/149, 341/149, 504/34, 506 of the IPC and the same were read over and explained to them in Hindi on 19.02.2025 to which they pleaded not guilty and claimed to be tried.
6. The defence of the accused persons is the total denial of allegations levelled against them and their involvement in the occurrence and they have stated that they are innocent and have been made victim of the false implication.
7. Now, the point for determination in this case is whether the prosecution has been able to prove the charges levelled against the accused persons beyond the shadow of all reasonable doubts.

8. FINDINGS

(a) In this case the prosecution has adduced and examined altogether three witnesses mentioned as follows :-

S.No	NAME OF THE WITNESSES	EVIDENCE
1	Madhu Devi	P.W.1
2	Rahul Kumar @ Rahul Raj	P.W.2
3	Golu Raj	P.W.3

(b) The prosecution has adduced one documentary evidence -

S.No	Exhibit number	Description
1.	P-1/PW-2	Signature of the informant on the written report

On the other hand, neither oral nor documentary evidence has been adduced on behalf of the defence.

**IN THE COURT OF DISTRICT & ADDITIONAL SESSIONS JUDGE-II,
Nalanda at Biharsharif**

Present : Khyati Singh

Sessions Trial No. 140/2025, CNR No. BRNL010012912025

[Arising out of Sohsarai P.S. Case No. 29/2020, G.R. No. 588/2020]

[Date of Judgment – 24.06.2026]

9. Now, the evidences, thus, adduced and examined shall be analysed in the light of the material particulars of this case as under:

P.W-1 Madhu Devi is the mother of the informant and she has said in her examination in chief that the occurrence took place four years back at about 8:00 P.M.. At that time she was at her house along with her son and daughter and she heard the abusive language from outside. She further said that she does not know as to who was abusing. She also said that the Police did not record her statement. After that she has been declared hostile by the prosecution. In her cross examination by defence she has stated in para-6 that no dispute took place with her son and the accused Vicky, Vishal and Sagar. She also said that no transaction of money took place between his son and the accused persons.

P.W-2 Rahul Kumar @ Rahul Raj, the informant, has said in his examination in chief that the occurrence took place between 7:00 - 8:00 PM. He along with his mother and brother was in his house and the sound of quarrel and commotion was coming from outside. He has proved his signature on the written report as Exhibit-P1/PW-2. He said that he recognizes the accused Sagar, Vicky and Vishal and they were standing outside his house at the time of occurrence. He stated that his brother Golu sustained cut injury at his head and the blood was oozing out and he was treated at Sadar Hospital, Biharsharif. He said that on hearing alarm, the neighbours came and the accused persons fled away. In his cross examination in para-11 he said that it was dark at the time of occurrence. In para-12 he said that the power was cut when there was commotion outside. In para-13 he said that when his brother came out from the house, the water was spread due to which he slipped and he sustained cut injury at his head. In para-14 he stated that nobody assaulted his brother and para-15 he said that he had put only his signature on the written report but what was written in that, was not read over to him. In para-16 he said that no transaction of Rs. 15,000/- took place with the accused persons. In para-17 he stated that

**IN THE COURT OF DISTRICT & ADDITIONAL SESSIONS JUDGE-II,
Nalanda at Biharsharif**

Present : Khyati Singh

Sessions Trial No. 140/2025, CNR No. BRNL010012912025

[Arising out of Sohsarai P.S. Case No. 29/2020, G.R. No. 588/2020]

[Date of Judgment – 24.06.2026]

when his brother sustained injury at his head, all three friends, who have been made accused in this case, had come to see him and some enemy had given their names in this case. In para-18 he said that he is having friendly relationship with the accused persons even today also and none of the dispute took place with them. In para-20 he again said that these accused persons did not cause any occurrence.

P.W-3 Golu Raj is the brother of the informant and injured also, he has said in his examination in chief that the occurrence took place about 3-4 years back at about 07:00 PM. At that time Vicky, Vishal and Sagar came his house for spending some time. He and his mother sustained injury. He said that all these three persons did not commit assault with him. He said that he sustained injury and was treated and for that his brother filed this case. In his cross examination in para -3 he said that Sagar, Vicky and Vishal are good friends of his brother and he is having cordial relationship with them. In para-4 he said that when the commotion was going on, he and others came outside the house but the accused persons were sitting in the house. In para-5 he said that when he came outside, he slipped and fell down and due to which he sustained injury. He also said that he could not know as on date as to who was making ruckus.

10. The learned counsel appearing on behalf of the accused persons submitted during argument that the accused persons are innocent and have been falsely implicated in this case. He has further advanced his argument that none of the witness including the informant, his mother and brother has supported the prosecution case. As such, the accused persons deserve the acquittal.

On the other hand, the learned Addl.P.P. has argued that the occurrence took place, but why the witnesses have not supported the prosecution case, the reasons best known to them.

11. Heard both the parties and perused the record. From perusal of the record it transpires that altogether three witnesses have been produced and examined

**IN THE COURT OF DISTRICT & ADDITIONAL SESSIONS JUDGE-II,
Nalanda at Biharsharif**

Present : Khyati Singh

Sessions Trial No. 140/2025, CNR No. BRNL010012912025

[Arising out of Sohsarai P.S. Case No. 29/2020, G.R. No. 588/2020]

[Date of Judgment – 24.06.2026]

by the prosecution. PW-1, the mother of the informant, has been declared hostile by the prosecution and has not supported the case at all. Further, PW2, the informant, has said in his cross examination that it was dark at the time occurrence and when his brother came outside the house, the water was spread and due to that he slipped and sustained cut injury at his head. He also said that none of the accused persons assaulted his brother. He also said that what was written in the written report was not read over to him. He only put his signature on that. He also said that no transaction of Rs. 15,000/- was made with the accused persons. Even he has said that when his brother sustained injury, the accused persons came to see him and someone gave their name in this case due to enmity. He again said that these three accused persons did not cause any occurrence. Thus, the evidence of the informant itself shakes the pillars of the whole prosecution story. Further, P.W.-3 who is the brother of the informant and victim of this case also has said in his examination in chief itself that the accused persons had gone to his house to spend time with them and they did not assault him. In his cross examination he has stated that the accused persons are his brother's good friend. He also said that on hearing the commotion when he went outside the house, the accused persons were sitting in the house. He further said that when he went outside the house, he slipped and fell down due to which he sustained injury. Hence, the evidence of this witness is also not going to support the prosecution in any way. None other witness including the I.O. and the doctor came before the Court to support the prosecution case though ample opportunities were given and the processes were issued by the Court. But, all was in vain.

Thus, in view of the aforesaid facts and circumstances and the discussion made above, I find that the prosecution has miserably failed to establish the charges levelled against the above named accused persons u/s 147, 148, 307/149, 323/149, 341/149, 504/34, 506 of the IPC beyond

**IN THE COURT OF DISTRICT & ADDITIONAL SESSIONS JUDGE-II,
Nalanda at Biharsharif**

Present : Khyati Singh

Sessions Trial No. 140/2025, CNR No. BRNL010012912025

[Arising out of Sohsarai P.S. Case No. 29/2020, G.R. No. 588/2020]

[Date of Judgment – 24.06.2026]

shadow of all reasonable doubts. Accordingly, the accused persons, namely, **(1)Sagar Kumar, (2) Vicky Kumar and (3) Vishal Kumar** are acquitted under the aforesaid charges. They are set at liberty and are discharged from the liability of their respective bail bonds.

Sd/-
(Khyati Singh)
Distt. & Additional Sessions Judge -IInd
Nalanda at Biharsharif
24-06-2026

Dictated & Corrected by me,
Sd/-
(Khyati Singh)
Distt. & Additional Sessions Judge – IInd
Nalanda at Biharsharif
24-06-2026

Date of Judgment/Order	24-06-2026
Date of Reserving Judgment/Order	-
Date of Uploading	27-06-2026
Uploaded by	kundan