



Presented on : 24-03-2025
Registered on : 24-03-2025
Decided on : 17-06-2026
Duration : 1 years, 2 months, 24 days

FORM – A

**IN THE COURT OF DISTRICT & ADDITIONAL SESSIONS JUDGE-IInd,
Nalanda at Biharsharif**
Present : Khyati Singh
[Date of Judgment – 17.06.2026]
State Versus Vijay Paswan & Others
Sessions Trial No. 257/2025, CNR No. BRNL010022642025
[Arising out of Nalanda P.S. Case No. 105/2018, G.R. No. 2881/2018]

PROSECUTION/INFORMANT	Sabuja Devi
REPRESENTED BY	Sri Amir Prasad Singh, Ld. Addl. P.P.
ACCUSED PERSON	1 Vijay Paswan, aged about 40 years, S/o Dev Paswan, 2 Rajesh Paswan, aged about 34 years, S/o Nande Paswan, 3 Ritik Paswan, aged about 28 years, S/o Vijay Paswan. all are r/o village-Fatehpur, P.S.+ District Nalanda
REPRESENTED BY	Sri Rajesh Kumar Singh (Ld. Advocate)

FORM – B

Date of offence	17-07-2018
Date of FIR	17-07-2018
Date of charge sheet	30-09-2018
Date of cognizance	20-11-2018
Date of commitment	21-03-2025
Date of framing of charge	15-04-2025
Date of commencement of evidence	07-07-2025
Date on which Judgment is reserved	-
Date of the Judgment	17-06-2026
Date of the Sentencing order	-

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

Present : Khyati Singh

**Sessions Trial No. 257/2025, CNR No. BRNL010022642025
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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	Vijay Paswan	-	04.08.18	U/s 323, 341, 307, 379, 504, 506/34 IPC	Acquitted	-	-
A2	Rajesh Paswan	-	04.08.18	- DO -	Acquitted	-	-
A3	Ritik Paswan	-	04.08.18	- DO -	Acquitted		

FORM C

Prosecution Witnesses

RANK	NAME
P.W.1	Ramdahin Paswan
P.W.2	Jagdev Kumar
P.W.3	Sabuja Devi

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

S.No	Exhibit number	Description
-	NIL	NIL

Defence exhibits:-

Sl No.	Exhibit number	Description
1.	NIL	NIL

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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 323, 341, 307, 379, 504, 506/34 of the IPC.
2.	The case of the prosecution as unfolded in the written report of the informant, namely, Sabuja Devi, in brief, is that on 17.07.2018 at about 6:30 P.M., she was at her house, her neighbour Vijay Paswan, Dev Paswan, Rajesh Paswan and Ritik Paswan were abusing, she protested to it then, the accused persons became furious and started assaulting her with stick and iron rod. The accused Dev Paswan assaulted her son with iron rod due to which he sustained cut injury at his head. The accused Rajesh Paswan assaulted her with stick by which she sustained severe injuries at her head and she became unconscious. The accused took her earrings worth Rs. 50,000/- and the accused Ritik Paswan took Rs. 5,000/- from her.
3.	The said written report of the informant gave birth to the institution of Nalanda P.S. case no. 105/2018 dated 17.07.2018 registered u/s 341, 323, 307, 504, 379, 506/34 of the IPC against the accused persons as named in the written report. The I.O. has submitted the charge sheet bearing No.125/2018 dated 30.09.2018 against the above named accused persons u/s 341, 323, 307, 379, 504, 506/34 of the IPC.
4.	The cognizance of the offences was taken by the learned Chief Judicial Magistrate, Nalanda at Bihar Sharif on 20.11.2018 u/s 341, 323, 307, 379, 504, 506/34 of the IPC against the accused Vijay Paswan, Dev Paswan, Rajesh Paswan and Ritik Paswan and the case was committed to the Court of Sessions on 21.03.2025 After that, the case record was received to the Court of Sessions on 24.03.2025 and then in due course of time it came to the file of this Court on 10.06.2025.
5.	The charges were framed against the accused Vijay Paswan, Dev Paswan, Rajesh Paswan and Ritik Paswan u/s 323, 341, 307, 379, 504, 506/34 of the

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IPC and the same were read over and explained to them in Hindi on 15.04.2025 to which they pleaded not guilty and claimed to be tried.

It is worth mentioning that during course of trial the accused Dev Paswan died and the proceeding against him was dropped vide order dated 16.06.2026.

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	Ramdahin Paswan	P.W.1
2	Jagdev Kumar	P.W.2
3	Sabuja Devi	P.W.3

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

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 Ramdahin Paswan & P.W-2 Jagdev Kumar** have been declared hostile by the prosecution and have not supported the case at all.
- PW-3- Sabuja Devi**, the informant, has said in her examination in chief that she has filed this case against the accused Dev, Rajesh, Riti and Vijay and they are her neighbours. She further said that the occurrence took place ten years back at about 4 P.M.. All these accused persons assaulted her and her

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son Laldev at their head due to which the blood started oozing out. She further said that the accused Dev assaulted her and her son also. The accused persons took her two-three thousand rupees and chain. She also said that the cause of occurrence is the previous enmity. In her cross-examination in para 7 she stated that she does not know as to by whom the FIR was written, she was told to put her thumb impression only, therefore, she put her thumb impression. In para 8 she said that she had got her money and chain. In para 10 she stated that she and her son did not sustain any injury.

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 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 by the prosecution. PW-3, the informant, has said in her evidence that she does not know as to by whom the FIR was written, she was told to put her thumb impression only, therefore, she put her thumb impression. She said that she had got her money and chain. Also, she stated that she and her son did not sustain any injury. Hence, the evidence of this witness itself shakes the pillars of the whole prosecution story. Further, P.W.-1 and P.W.-2 have been hostile by the prosecution and have not supported the prosecution case at all. 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

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establish the charges leveled against the above named accused persons u/s 323, 341, 307, 379, 504, 506/34 of the IPC beyond shadow of all reasonable doubts. Accordingly, the accused persons, namely, **(1) Vijay Paswan, (2) Rajesh Paswan and (3) Ritik Paswan** 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
17-06-2026

Dictated & Corrected by me,
Sd/-
(Khyati Singh)
Distt. & Additional Sessions Judge – IInd
Nalanda at Biharsharif
17-06-2026

Date of Judgment/Order	17-06-2026
Date of Reserving Judgment/Order	-
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