

BRNL010033812024



Presented on : 10-05-2024
Registered on : 10-05-2024
Decided on : 27-05-2026
Duration : 2 years, 0 months, 17 days

FORM – A

IN THE COURT OF DISTRICT & ADDITIONAL SESSIONS JUDGE-IInd, NALANDA AT BIHARSHARIF <u>Present: Khyati Singh</u> [Date of Judgment – 27.05.2026] State Versus Laxmikant @ Guddu Paswan Sessions Trial No. 373/2024, CNR No. BRNL010033812024 [Arising out of Asthawan P.S. Case No. 270/2023, GR No. 5730/2023]	
PROSECUTION/ INFORMANT	Satyendra Paswan
REPRESENTED BY	Sri Sunil Kumar , Ld. Addl. P.P.
ACCUSED PERSON	Laxmikant @ Guddu Paswan, aged about 58 years, s/o Late Banaras Paswan, resident of village Andi, P.S.- Asthawan, District Nalanda
REPRESENTED BY	Sri Krishnandan Bharti (Ld. Advocate)

FORM – B

Date of offence	13.10.2023
Date of FIR	24.10.2023
Date of charge sheet	06.02.2024
Date of cognizance	04.04.2024
Date of commitment	07.05.2024
Date of framing of charge	21.05.2024
Date of commencement of evidence	07.04.2025
Date on which Judgment is reserved	-
Date of the Judgment	27.05.2026
Date of the Sentencing order	-

**IN THE COURT OF DISTRICT & ADDITIONAL SESSIONS JUDGE-II,
NALANDA AT BIHARSHARIF**

Present: Khyati Singh

Sessions Trial No. 373/2024, CNR No. BRNL010033812024

[Arising out of Asthawan P.S. Case No. 270/2023, GR No. 5730/2023]

[Date of Judgment – 27.05.2026]

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	Laxmikant @ Guddu Paswan	19.12.23	10.06.24	U/s 366(A) IPC	Acquitted	-	-

FORM C

Prosecution Witnesses

RANK	NAME
P.W.1	Mukesh Kumar
P.W.2	Chandra Bindu Paswan
P.W. 3	Rani Kumari
P.W. 4	Satyendra Paswan

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
1	P-1/PW-3	Statment of the victim Rani Kumari recorded U/s. 164 Cr.P.C.
2	P-2/PW-4	Written report.

Defence exhibits:-

Sl No.	Exhibit number	Description
1.	NIL	NIL

C. Court Exhibits

Sl No.	Exhibit number	Description
1.	NIL	NIL

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[Date of Judgment – 27.05.2026]

JUDGMENT

1.	The above named accused person stands charged for committing the offences punishable u/s 366(A) of the IPC.
2.	The case of the prosecution as unfolded in the written report of the informant, namely, Satyendra Paswan, in brief, is that on 13.10.2023 at about 06:30, the informant's daughter Rani Kumari aged about 17 years went to meet her natural call but when she did not come back for a long time then, the informant started searching for her. The neighbouring people told that his daughter has been kidnapped by the accused Luvkush Paswan, Sangeeta Devi, Santosh Paswan, Laxmikant @ Guddu Paswan, Sarita Devi and Kunal Paswan for killing her. The informant and his family members searched his daughter but she could not be traced.
3.	The said written report of the informant gave birth to the institution of Asthawan P.S. case no. 270/2023 dated 24.10.2023 registered u/s 366(A)/34 of the IPC against the accused persons as named in the written report. The I.O. has submitted the charge sheet bearing No.513400223027001 dated 06.02.2024 against the accused Laxmikant @ Guddu Paswan u/s 366(A)/34 of the IPC and keeping the investigation pending against rest of the accused persons.
4.	The cognizance of the offences was taken by the learned Judicial Magistrate 1 st Class-IV, Nalanda at Bihar Sharif on 04.04.2024 u/s 366(A)/34 of the IPC against the above named accused person and the case was committed to the Court of Sessions on 07.05.2024. After that, the case record was received to the Court of Sessions on 09.05.2024 and then in due course of time it came to the file of this Court on 18.06.2025.
5.	The charge was framed against the above named accused person u/s 366(A) of the IPC and the same was read over and explained to him in Hindi on 21.05.2024 to which he pleaded not guilty and claimed to be tried.
6.	The defence of the accused person is the total denial of allegations levelled against him and his involvement in the occurrence and he has stated that he is innocent and has been made victim of the false implication.
7.	Now, the point for determination in this case is whether the prosecution has been

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8.	able to prove the charge levelled against the accused person beyond the shadow of all reasonable doubts.		
	<u>FINDINGS</u>		
	(a) In this case the prosecution has adduced and examined altogether four witnesses mentioned as follows :-		
	S.No	NAME OF THE WITNESSES	EVIDENCE
	1	Mukesh Kumar	P.W.1
	2	Chandra Bindu Paswan	P.W.2
	3	Rani Kumari	P.W. 3
	4	Satyendra Paswan	P.W. 4
	(b) The prosecution has adduced documentary evidences -		
	S.No	Exhibit number	Description
9.	1	P-1/PW-3	Statment of the victim Rani Kumari recorded U/s. 164 Cr.P.C.
	2	P-2/PW-4	Written report.
	On the other hand, neither oral nor documentary evidence has been adduced on behalf of the defence.		
	Now, the evidence ,thus, adduced and examined shall be analysed in the light of the material particulars of this case as under :-		
	P.W-1 Mukesh Kumar and P.W-2 Chandra Bindu Paswan have been declared hostile by the prosecution and have not supported the case at all.		
	P.W-3 Rani Kumari who is the victim in this case, has said in her examination in chief that the occurrence took place at about 1½ years back in the year 2024. On that day she went to Asthawan Bazaar at about 2 PM and she called Kunal Paswan there and they went to Sheikhpura Bazaar and there was a temple where she solemnized marriage with Kunal Paswan. She said that at the time of marriage she was 18 years old and they got the paper of marriage prepared from Sheikhpura Court. After that they went to Sonipat by train. She came to know that her father has filed the case of her kidnapping then, she went to the Police station from where she was taken to the Biharsharif Court by the Police where her statement was recorded by the Magistrate and she has proved her statement as Exhibit- P1/PW-3. In her cross examination in para-3 she said that her father has filed the false case of kidnapping. In para-4 she said that the rest of the		

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	accused persons have been falsely implicated in this case. In para- 5 she stated that she is living with her husband Kunal Paswan and they are having one son of 5 months out of their wedlock. She has said in para-7 that she had gone with her husband with her sweet will. P.W-4 Satyendra Paswan, the informant, has said in his examination in chief that the occurrence took place in the year 2024. When he came back to his house from outside then, he came to know that his daughter Rani Kumari is not present in the house. Then, he searched for her and came to know that her daughter has been kidnapped by the accused Laxmikant Paswan, Kunal Paswan, Luvkush Paswan, Sangeeta Devi, Sarita Devi. Later, he came to know that his daughter has gone with Kunal Paswan and she has solemnized marriage with Kunal Paswan without his will. He has proved written report as Exhibit P2/PW4. In his cross examination in para-6 he stated that he came to know that his daughter has solemnized marriage with Kunal Paswan with his sweet will. In para-7 he said that he is not having any dispute or complain with the accused persons. In para - 8 he said that he does not want to contest this case rather he wants to live with the accused cordially and he does not want to give any evidence.
10.	The learned counsel appearing on behalf of the accused person submitted during argument that the accused person is innocent and has been falsely implicated in this case. He has further advanced his argument that none of the witness including the informant and the victim has supported the prosecution case. As such, the accused person deserves 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 four witnesses have been produced and examined by the prosecution. PW-4, the informant, has said in his evidence that his daughter solemnized marriage with the accused Kunal Paswan with her sweet will. He also said that he is not having any dispute or complain with the accused persons and he does not want to contest this case rather he wants to live with the

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accused persons cordially and he does not want to give any evidence. PW-3, the victim, has said in her evidence that she herself called the accused Kunal Paswan and solemnized marriage in a temple with her sweet will and at that time her age was 18 years. She has also said that her father had filed a false case of kidnapping and has falsely implicated the other accused persons also in this case. Also, Exhibit-P1/PW-3 which is the statement of the victim recorded by the learned Magistrate u/s 164 Cr.P.C. reflects that the learned Magistrate has assessed the age of the victim as 19 years. Hence, the evidence of these two important witnesses is not going to support the prosecution in any way. Further, PW-1 & PW-2 have been declared hostile by the prosecution and have not supported the case at all. None other witness 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 charge leveled against the above named accused person u/s 366(A) of the IPC beyond shadow of all reasonable doubts. Accordingly, the accused **Laxmikant @ Guddu Paswan** is acquitted under the aforesaid charge. He is set at liberty and is discharged from the liability of his bail bond.

Sd/-
(Khyati Singh)
Distt. & Additional Sessions Judge -IInd
Nalanda at Biharsharif
27-05-2026

Dictated & Corrected by me,
Sd/-
(Khyati Singh)
Distt. & Additional Sessions Judge – IInd
Nalanda at Biharsharif
27-05-2026

Date of Judgment/Order	27-05-2026
Date of Reserving Judgment/Order	-
Date of Uploading	12-06-2026
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