

**FORM A**

**IN THE COURT OF PRINCIPAL SESSIONS JUDGE,  
NAWADA**

Ashutosh Kumar Jha

Date of the Judgment:

**22-05-2026**

**S.Tr. Case No-274/2018**

(Details of FIR/Crime and Police Station)

(Arising out of commitment order dated 14.08.2018 passed in  
Warisaliganj P.S. Case No.-118/2017 G.R. No.-1422/2017)

|                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Complainant    | STATE OF BIHAR<br>Through Ranjan Singh, aged about-39<br>years, S/O-Late Ras Bihari Singh, r/o<br>village-Naromurar, P.S.-Warisaliganj,<br>Distt.- Nawada<br><br>.....Informant                                                                                                                                                                                                                                                                                                                                                                                                        |
| REPRESENTED BY | Shri Manoj Kumar Singh, Ld. P.P..                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| ACCUSED        | 1. Nagendra Singh, aged about 47 Years,<br>S/O-Late Saryug Singh<br>2. Bhim Singh, aged about 62 Years, S/O-<br>Late Mathura Singh<br>3. Shreekant Singh, aged about-73 Years,<br>S/O-Late Mathura Singh<br>4. Chandrashekar Singh, aged about 57<br>Years, S/O-Late Mathura Singh<br>5. Gautam Kumar, aged about 29 Years,<br>S/O-Bhim Singh<br>6. Lal jee, aged about 28 Years, S/O-Bhim<br>Singh<br>7. Rajiv Kumar, aged about 32 Years, S/O-<br>Late Satyendra Singh<br>8. Rajesh Kumar, aged about 37 Years,<br>S/O-Late Satyendra Singh<br>9. Tuntun Kumar, aged about 28 Years, |



|                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|-----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                       | <b>S/O-Late Satyendra Kumar</b><br><b>10. Mukul Kumar, aged about 28 Years, S/O-Nagendra Kumar</b><br><b>11. Kanhaiya Kumar, aged about 28 Years, S/O-Chandrashekar Singh</b><br><b>12. Hira Singh @ Kundan Kumar, aged about 36 Years, S/O-Late Lakhan Singh</b><br><b>13. Sinod Kumar, aged about 39 Years, S/O-Ramnaresh Singh</b><br><b>14. Naresh Singh, aged about 73 Years, S/O-Late Umrao Singh</b><br><b>15. Rajiv Nayan @ Raja Babu, aged about 39 Years, S/O-Naresh Singh</b><br><b>16. Bipin Singh, aged about 57 Years, S/O-Hareram Singh</b><br><b>17. Guddu Singh, aged about 52 Years, S/O-Late Ramcharitra Singh</b><br><b>18. Ajay Singh, aged about 49 Years, S/O-Nagendra Kumar</b><br><b>All resident of village-Naromurar, P.S.-Warisaliganj, District-Nawada</b><br><b>.....Accused persons</b> |
| <b>REPRESENTED BY</b> | <b>Shri Navin Kumar, Ld. Advocate</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

**FORM B**

|                            |            |
|----------------------------|------------|
| Date of Offence            | 28.05.2017 |
| Date of FIR                | 28.05.2017 |
| Date of Chargesheet        | 31.01.2018 |
| Date of Cognizance         | 12.02.2018 |
| Date of Commitment         | 14.08.2018 |
| Date of Framing of Charges | 29.01.2019 |



|                                      |            |
|--------------------------------------|------------|
| Date of commencement of evidence     | 02.03.2019 |
| Date on which judgment is reserved   | 21.05.2026 |
| Date of the Judgment                 | 22.05.2026 |
| Date of the Sentencing Order, if any | N/A        |

**Accused Details:**

| Rank of the Accused | Name of Accused     | Date of Arrest          | Date of Release on Bail | Offences Charged with      | Either Acquitted or convicted | Sentence Imposed | Period of Detention Undergone during Trial for purpose of section 428, Cr.P.C. |
|---------------------|---------------------|-------------------------|-------------------------|----------------------------|-------------------------------|------------------|--------------------------------------------------------------------------------|
| 1                   | Nagendra Singh      | Surrender on 10.07.2017 | 10.07.2017              | 307/149, 147 of the I.P.C. | Acquitted                     | N/A              | N/A                                                                            |
| 2                   | Bhim Singh          | Surrender on 10.07.2017 | 10.07.2017              | 307/149, 147 of the I.P.C. | Acquitted                     | N/A              | N/A                                                                            |
| 3                   | Shreekant Singh     | Surrender on 10.07.2017 | 10.07.2017              | 307/149, 147 of the I.P.C. | Acquitted                     | N/A              | N/A                                                                            |
| 4                   | Chandrashekar Singh | Surrender on 11.07.2017 | 11.07.2017              | 307/149, 147 of the I.P.C. | Acquitted                     | N/A              | N/A                                                                            |
| 5                   | Gautam Kumar        | Surrender on 11.07.2017 | 11.07.2017              | 307/149, 147 of the I.P.C. | Acquitted                     | N/A              | N/A                                                                            |
| 6                   | Lal Jee             | Surrender on 11.07.2017 | 11.07.2017              | 307/149, 147 of the I.P.C. | Acquitted                     | N/A              | N/A                                                                            |
| 7                   | Rajiv Kumar         | Surrender on 10.07.2017 | 10.07.2017              | 307/149, 147 of the I.P.C. | Acquitted                     | N/A              | N/A                                                                            |
| 8                   | Rajesh Kumar        | Surrender on 10.07.2017 | 10.07.2017              | 307/149, 147 of the I.P.C. | Acquitted                     | N/A              | N/A                                                                            |
| 9                   | Tuntun Kumar        | Surrender on 11.07.2017 | 11.07.2017              | 307/149, 147 of the I.P.C. | Acquitted                     | N/A              | N/A                                                                            |

1/10/2026



|    |                         |                         |            |                            |           |     |     |
|----|-------------------------|-------------------------|------------|----------------------------|-----------|-----|-----|
| 10 | Mukul Kumar             | Surrender on 11.07.2017 | 11.07.2017 | 307/149, 147 of the I.P.C. | Acquitted | N/A | N/A |
| 11 | Kanhaiya Kumar          | Surrender on 11.07.2017 | 11.07.2017 | 307/149, 147 of the I.P.C. | Acquitted | N/A | N/A |
| 12 | Hira Singh              | Surrender on 10.07.2017 | 10.07.2017 | 307/149, 147 of the I.P.C. | Acquitted | N/A | N/A |
| 13 | Sinod Kumar             | Surrender on 10.07.2017 | 10.07.2017 | 307/149, 147 of the I.P.C. | Acquitted | N/A | N/A |
| 14 | Naresh Singh            | Surrender on 10.07.2017 | 10.07.2017 | 307/149, 147 of the I.P.C. | Acquitted | N/A | N/A |
| 15 | Rajiv Nayan @ Raja Babu | Surrender on 11.07.2017 | 11.07.2017 | 307/149, 147 of the I.P.C. | Acquitted | N/A | N/A |
| 16 | Bipin Singh             | Surrender on 11.07.2017 | 11.07.2017 | 307/149, 148 of the I.P.C. | Acquitted | N/A | N/A |
| 17 | Guddu Singh             | Surrender on 10.07.2017 | 10.07.2017 | 307/149, 148 of the I.P.C. | Acquitted | N/A | N/A |
| 18 | Ajay Singh              | Surrender on 11.07.2017 | 11.07.2017 | 307/149, 148 of the I.P.C. | Acquitted | N/A | N/A |

### FORM C

#### LIST OF PROSECUTION/DEFENCE/COURT WITNESSES

##### A. Prosecution

| RANK | NAME           | NATURE OF EVIDENCE<br>(EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS) |
|------|----------------|--------------------------------------------------------------------------------------------------------------------|
| PW1  | Dr. Amit Gupta | Medical Witness                                                                                                    |
| PW2  | Ranjay Kumar   | Informant to this case                                                                                             |
| PW3  | Radhey Singh   | Hostile Witness                                                                                                    |
| PW4  | Kanhaiya Kumar | Injured Witness                                                                                                    |
| PW5  | Chintu Kumar   | Injured Witness                                                                                                    |

##### B. Defence Witnesses, if any:

| RANK                                                         | NAME | NATURE OF EVIDENCE<br>(EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS) |
|--------------------------------------------------------------|------|--------------------------------------------------------------------------------------------------------------------|
| No defence witness was produced on behalf of accused persons |      |                                                                                                                    |

##### C. Court Witnesses, if any:



| RANK | NAME | NATURE OF EVIDENCE<br>(EYE WITNESS, POLICE WITNESS, EXPERT<br>WITNESS, MEDICAL WITNESS, PANCH WITNESS,<br>OTHER WITNESS) |
|------|------|--------------------------------------------------------------------------------------------------------------------------|
| N/A  |      |                                                                                                                          |

**LIST OF PROSECUTION/DEFENCE/COURT EXHIBITS**

**A. Prosecution:**

| Sr. No | Exhibit Number | Description                                               |
|--------|----------------|-----------------------------------------------------------|
| 1      | Exhibit-P1     | Signature of informant on written application give to SHO |

**B. Defence:**

| Sr. No | Exhibit Number | Description |
|--------|----------------|-------------|
| 1      | Exhibit        | N/A         |

**C. Court Exhibits**

| Sr. No | Exhibit Number | Description |
|--------|----------------|-------------|
| 1      | Exhibit        | N/A         |

**D. Material Object:**

| Sr. No | Material Object Number | Description |
|--------|------------------------|-------------|
| 1      | MO1                    | N/A         |

**J U D G M E N T**

1. The short case of the prosecution as per written application of the informant Ranjan Singh is that on 28.05.2017 at about 08:00 A.M. accused persons namely Satyendra Singh, Nagendra Singh, Bhim Singh, Shrikant Singh, Chandrashekar Singh, Lal Jee, Kanhaiya Kumar, Rajiv Kumar, Rajesh Kumar, Tuntun Kumar, Mukul Kumar, Bipin Singh, Guddu Singh, Ajay Singh, Hira Singh, Naresh Singh, Sinod Kumar, Rajiv Nayan @ Raja Babu all resident of village Naromurar laced with deadly weapons entered into house of informant's uncle namely Radhey Singh and



*1/30/2018*

threatened him to withdraw the case which has been lodged against them and when the informant protested then accused Satyendra Singh assaulted him by means of saif on his head due to which the informant sustained cut injury and blood was oozing out and he fell down on the ground. Thereafter accused Gautam Kumar and Nagendra Singh assaulted him by means of lathi and iron rod and when informant's cousin Chintu Kumar came to save then accused Bipin Singh assaulted him by means of sword due to which Chintu Kumar sustained injuries over his leg and blood was also oozing out. Accused Guddu Kumar assaulted his nephew Kanhaiya Lal by means of Saif due to which Kanhaiya Lal also got injured. On the sound of commotion villagers came there then accused Ajay Singh fired from gun during fleeing away.

### Charges.

2. In Warisaliganj P.S. Case No.-118/2017 dated 28.05.2017 the F.I.R. has been registered against nineteen persons namely Satendra Singh, Nagendra Singh, Bhim Singh, Shreekant Singh, Chandrashekhar Singh, Gautam Kumar Lal Jee, Rajiv Kumar, Rajesh Kumar, Tuntun Kumar, Mukul Kumar, Kanhaiya Kumar, Hira Singh, Sinod Kumar, Naresh Singh, Rajiv Nayan @ Raja Babu, Bipin Singh, Guddu Singh and Ajay Singh U/Ss.-307/149, 148, 147 of the I.P.C. The charge-sheet has been filed by the investigation officer in



the present case vide Charge-sheet No.-233/2017 dated 30.10.2017 U/Ss.- 147,148,149,448,341,323,324,307 of the I.P.C. against the accused persons namely (i) Satendra Singh, (ii) Nagendra Singh, (iii) Bhim Singh, (iv) Shreekant Singh, (v) Chandrashekhar Singh, (vi) Gautam Kumar (vii) Lal Jee, (viii) Rajiv Kumar, (ix) Rajesh Kumar, (x) Tuntun Kumar, (xi) Mukul Kumar, (xii) Kanhaiya Kumar, (xiii) Hira Singh, (xiv) Sinod Kumar, (xv) Naresh Singh, (xvi) Rajiv Nayan @ Raja Babu, (xvii) Bipin Singh, (xviii) Guddu Singh and (xix) Ajay Singh.

Accused Satendra Singh has died on 28.05.2018 and proceeding has been dropped against him vide order dated 14.08.2018 of Ld. A.C.J.M.-II, Nawada

The charges were framed against the accused persons namely (i) Nagendra Singh, (ii) Bhim Singh, (iii) Shreekant Singh, (iv) Chandrashekhar Singh, (v) Gautam Kumar (vi) Lal Jee, (vii) Rajiv Kumar, (viii) Rajesh Kumar, (ix) Tuntun Kumar, (x) Mukul Kumar, (xi) Kanhaiya Kumar, (xii) Hira Singh, (xiii) Sinod Kumar, (xiv) Naresh Singh, (xv) Rajiv Nayan @ Raja Babu, (xvi) Bipin Singh, (xvii) Guddu Singh and (xviii) Ajay Singh on 29.01.2019 U/Ss.-307/149,147 and 148 of the I.P.C. The charges were read over and explained to the accused persons in Hindi to which they pleaded not guilty and hence this trial.

3. In order to prove its case prosecution examined



altogether five witnesses namely P.W.-01 Dr. Amit Gupta (Medical witness), P.W.-02 Ranjay Kumar (Informant of this case), P.W.-03 Radhey Singh (Hostile witness), P.W.-04 Kanhaiya Kumar (Injured witness), and P.W.-05 Chintu Kumar (Injured witness).

P.W.-01 Dr. Amit Gupta is medical witness who has examined the injured deposed in his examination-in-chief as follows:

1. On 28.05.2017, I was posted as a Medical Officer at P.H.C., Warisaliganj, Distt- Nawada. On that date at 09:47 AM, I examined Ranjay Kumar aged about 29 Yrs. So Late Ras Bihari, Vill- Naromurar, P.S.-Warisaliganj, District- Nawada and found following injuries on his person.

Details of Injury:-

- i) Lacerated wound  $\frac{1}{2}$ "\*  $\frac{1}{2}$ "\*  $\frac{1}{4}$ " Left check maxillary area
- ii) Bodyache

Nature of injury:- Injury (i) and (ii) opinion reserved till report produce pt. referred to Nawada Sadar Hospital for X-Ray PNS at 12:10 PM for further evaluation.

Time of injury:- within 6 Hours.

Later on Supplementary report-

Report produce by Dr. Brij Bihari Singh C.M.O. Sadar Hospital, Nawada

X-ray PNS.- Not done.



Opinion:- Cannot be given by X-Ray PNS since 2/10/2017 X-Ray report not produced.

Hence Nature of injury is simple caused by HBS.

2. On the same day at 10:33 AM, I also examined Kanhai Lal aged about 15 Yrs. s/o Ramakant Singh, Vill- Naromurar, P.S.- Warisaliganj, District- Nawada and found following injuries on his person

Details of Injury:

i) Lacerated wound Right Leg below knee  $\frac{1}{2}" \times \frac{1}{2}" \times \frac{1}{2}"$

ii) Bodyache

Nature of injury:- Injury (i) and (ii) are simple caused by HBS.

Time of injury:- within 6 Hours.

3- On the same day at 10:45 AM, I also examined Chintu Kumar aged about 25 Yrs. S/o Radhe Singh, Vill- Naromurar, P.S.- Warisaliganj " District- Nawada and found following injuries on his person

Details of Injury::

i) Abrasion  $\frac{1}{2}" * \frac{1}{2}" \frac{1}{2}"$  on Right ankle

ii) Abrasion  $\frac{1}{2}" * \frac{1}{4}" * \frac{1}{4}"$  on Left ankle

Nature of injury:- Injury (i) and (ii) are simple caused by HBS.

Time of injury:- within 6 Hours.



These injury reports are in my pen and bears my signature and supplementary injury report is also written by me on the basis of the report of C.M.O. Dr. Brij Bihari Singh of Sadar Hospital, Nawada. These injury reports are marked as Ext. 1, 1/1, 1/2 and 1/3 respectively.

During cross-examination P.W.-01 deposed as follows:

4. Simple injury may be manufactured.
5. The injury of Chintu Kumar may be caused due to fall.
6. Bodyache is only complain, not sign of an injury.

P.W.-02 Ranjay Kumar is the informant of this case, who deposed in his examination-in-chief that he get instituted this case and occurrence took place eight years ago at 08:00 A.M. in the morning. He get instituted this case against Satyendra Singh, Nagendra Singh, Kanhaiya, Chandrashekhar, Lal jee, Mukul alongwith sum of 19 persons. He further states that all accused persons assaulted him and Chintu Kumar. He further deposed that Kanhaiya Kumar and Guddu were also got injured and they all were got treated at Sadar Hospital, Nawada. He further deposed in para-02 that Chintu Kumar wrote an application on which F.I.R. got registered and same was read before him and he put his signature thereafter. He identified his signature over the written application, which has been marked as Exhibit-P-2/P.W.-02. He further identified the accused Sinod and Nagendra who are present before the court.



During cross-examination, he deposed in para-04 that crowd was assembled on the place of occurrence due to sound of commotion and he has no knowledge who assaulted him in the crowd. He further deposed in para-05 that these accused persons have not assaulted him. He get instituted this case against these accused persons as behest by the neighbour. He further deposed that the case has amicably been settled between the both parties and both parties put their signature over the compromise petition. He further identified the accused as his co-villager.

P.W.-03 Radhey Singh has not supported the case of the prosecution and he has declared hostile on the request of the prosecution and nothing material come to the fore during his cross-examination.

P.W.-04 Kanhaiya Kumar is alleged to be injured person who deposed in his examination-in-chief that occurrence took place about 5-6 years ago and on that day some altercation took place between his gotiya Nagendra Singh and his father and during that course he sustained head injury. He further deposed that he got treated at government hospital. He further identified the accused Nagendra who is present before the court.

During cross-examination, P.W.-04 that crowd was assembled at the place of occurrence due to sound of commotion and he has no knowledge who assaulted him in



the crowd. He further stated that he identified the accused as his gotiya.

P.W.-05 Chintu Kumar is also injured witness who deposed in his examination-in-chief that occurrence took place about 8-9 years ago in the evening. He further deposed that altercation took place between Nagendra Singh and Ranjay Singh and he sustained injury on his leg during the said altercation and he got treated at government hospital. He further identified the accused Nagendra who is present before the court.

During cross-examination, he deposed that he has no knowledge who assaulted him in the crowd at the place of occurrence. He further deposed in para-04 that one witness his mother Meena Devi who is witness in this case, is currently unable to walk as she is suffering from illness. He further identified accused persons as his co-villager.

4. After completion of the prosecution evidence statement of the accused persons were recorded u/s 313 Cr.P.C. wherein all the incriminating evidences were put to the accused persons and the same was denied by them stating they are innocent, they did not committed the said incident. Further the defence did not get examined any other witnesses on its behalf.

5. I have heard the rival submissions of the Ld. P.P. and the Ld. defence counsel. Perused the evidences on the record.



The informant P.W.-02 Ranjay Kumar, who is the star witness of the prosecution, has not supported the prosecution case during cross-examination. He categorically admitted that due to the crowd assembled at the place of occurrence he had no knowledge as to who assaulted him. He further stated that the accused persons had not assaulted him and that the case was instituted at the behest of neighbours. He also admitted that the matter has been amicably settled between the parties. Such testimony completely demolishes the prosecution story. P.W.-04 Kanhaiya Kumar and P.W.-05 Chintu Kumar, who are alleged injured witnesses, also failed to attribute any overt act to the accused persons. Both admitted during cross-examination that due to the crowd they could not identify who assaulted them. Their evidence does not inspire confidence regarding the participation of the accused persons in the alleged occurrence. The medical evidence adduced by P.W.-01 Dr. Amit Gupta reveals only simple injuries in nature. The doctor specifically admitted during cross-examination that: simple injuries may be manufactured, injury of Chintu Kumar may be caused due to fall, and bodyache is merely a complaint and not a sign of injury. Thus, the medical evidence does not corroborate the allegation of assault by deadly weapons or the offence under Section 307 I.P.C. P.W.-03 Radhey Singh, in whose house the occurrence allegedly took place, did not support the prosecution case and was declared hostile. Nothing material



could be elicited from his cross-examination to support the prosecution version. Accordingly, this Court finds that the prosecution has miserably failed to prove the charges under Sections 307/149, 147 and 148 of the Indian Penal Code against the accused persons beyond reasonable doubt. Hence, all the accused persons are entitled to the benefit of doubt. The charge as alleged against the accused person could not get substantiated nor got any support from the prosecution witnesses. The guilt of the accused person could not be established. ***In Rang Bahadur Singh Vs. State of U.P. reported in AIR 2000 SC 1209*** it has been held as follows: "The time-tested rule is that acquittal of a guilty person should be preferred to conviction of an innocent person. Unless the prosecution establishes the guilt of the accused beyond reasonable doubt a conviction cannot be passed on the accused. A criminal court cannot afford to deprive liberty of the appellants, lifelong liberty, without having at least a reasonable level of certainty that the appellants were the real culprits." It is settled law that the suspicion, however, strong it may be, cannot take the place of proof beyond reasonable doubt. An accused cannot be convicted on the ground of suspicion, no matter how strong it is. An accused is presumed to be innocent unless proved guilty beyond a reasonable doubt.

6. Considering the evidences brought on record and the law discussed the prosecution abjectly failed to establish



its case beyond all reasonable doubt.

Hence, accused persons namely (i) Nagendra Singh, (ii) Bhim Singh, (iii) Shreekant Singh, (iv) Chandrashekhar Singh, (v) Gautam Kumar (vi) Lal Jee, (vii) Rajiv Kumar, (viii) Rajesh Kumar, (ix) Tuntun Kumar, (x) Mukul Kumar, (xi) Kanhaiya Kumar, (xii) Hira Singh, (xiii) Sinod Kumar, (xiv) Naresh Singh, (xv) Rajiv Nayan @ Raja Babu, (xvi) Bipin Singh, (xvii) Guddu Singh and (xviii) Ajay Singh are being acquitted of all the said charges and their sureties stand discharged. Judgment is being pronounced in the open court. Office is directed to consign the record to the Record Room.

(Dictated & corrected by me)  
*Ashutosh Kumar Jha*  
Principal Sessions Judge, Nawada  
22.05.2026

*Ashutosh Kumar Jha*  
Principal Sessions Judge,  
Nawada  
22.05.2026

