

FORM A

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

Ashutosh Kumar Jha

Date of the Judgment:

21-04-2026

S.Tr. Case No-310/2021

(Details of FIR/Crime and Police Station)

(Arising out of commitment order dated 30-09-2021 passed in
Nardiganj P.S. Case No.-107/2020 G.R. No.-1549/2020)

Complainant	STATE OF BIHAR Through Anandi Prasad Yadav, aged about-46 years, S/O-Ramswaroop Prasad Yadav, R/O Vill.-Miya Bigha, P.S.- Nardiganj, Distt.- NawadaInformant
REPRESENTED BY	Shri Manoj Kumar Singh, Ld. P.P..
ACCUSED	1. Rambalak Yadav, aged about-60 Years, S/O-Amrit Prasad Yadav, R/O Vill.-Miya Bigha, P.S.-Nardiganj, Distt.-NawadaAccused person
REPRESENTED BY	Shri Raj Kumar Prasad, Ld. Advocate

FORM B

Date of Offence	15.05.2020
Date of FIR	15.05.2020
Date of Chargesheet	16.12.2020
Date of Cognizance	25.03.2021
Date of Commitment	30.09.2021
Date of Framing of Charges	04.06.2022



Date of commencement of evidence	16.06.2022
Date on which judgment is reserved	07.04.2026
Date of the Judgment	21.04.2026
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	Rambalak Yadav	Surrender on 21.09.2021	21.09.2021	308, 323, 504 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 (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
PW1	Munna Kumar	Other Witness (Son of the Informant)
PW2	Anandi Prasad Yadav	Informant to this case

B. Defence Witnesses, if any:

RANK	NAME	NATURE OF EVIDENCE (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 (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, 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
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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 Anandi Prasad Yadav is that on 15.05.2020 at about 07:00 A.M. he was going to attend a nature's call then accused persons Rambalak Yadav, Devendra Yadav, Amrit Yadav, Kalawati Devi, Rekha Devi, Shilfa Devi, Nitu Devi, Swirti Kumari and Vikash Kumar came there and started abusing and began to assault him by means of lathi, danda, garasa and spade. On hearing of commotion his wife came to save him then accused persons threw her on the ground and assaulted her by means of lathi. Accused Rambalak Yadav snatched away gold chain from the neck of her wife.

Charges.

2. In Nardiganj P.S. Case No.-107/2020 dated 15.05.2020 the F.I.R. has been registered against nine persons namely Rambalak Yadav, Devendra Yadav, Amrit Yadav, Kalawati Devi, Rekha Devi, Shilfa Devi, Nitu Devi, Swirti Kumari and Vikash Kumar U/Ss.-341,323,308,354,379,504,34 of the



I.P.C. The charge-sheet has been filed by the investigation officer in the present case vide Charge-sheet No.-135/2020 dated 25.06.2020 U/Ss.- 341,323,308,504 of the I.P.C. against the accused person namely Rambalak Yadav.

The charge was framed against the sole accused person namely Rambalak Yadav on 04.06.2022 U/Ss.-308,323 and 504 of the I.P.C. The charges were read over and explained to the accused person in Hindi to which he pleaded not guilty and hence this trial.

3. In order to prove its case prosecution examined altogether two witnesses namely P.W.-01 Munna Kumar (son of the informant) and P.W.-02 Anandi Prasad Yadav (Informant to this case).

P.W.-01 Munna Kumar is son of the informant and hearsay witness who deposed in his examination-in-chief that occurrence took place in the year 2020 at 08-09:00 A.M. in the morning and on that day there was some disagreement took place between his mother and mother of Sweety Kumari over the issue of roasting grains. He further states that he was not at his house on that time and when he came later then he received information about this incident. He further states in para-02 that no one got hurt in that incident and his father was also not hurt. He further identified the accused Rambalak Yadav who is present before the court.

During cross-examination, P.W.-01 states in para-04



to 06 that he didn't see that incident and he identified the accused Rambalak Yadav as his uncle and both parties have compromised their case.

P.W.-02 Anandi Prasad Yadav is informant of this case, who deposed in para-01 of his examination-in-chief that he get instituted this case against Rambalak Yadav and occurrence took place two years ago at 08-09:00 A.M. and on that day there was some dispute took place between women over the issue of roasting grains and during course of save he received injury himself. He further identified his signature over written application given to S.H.O. and on identification signature has been marked as exhibit as Exhibit-P1/P.W.-02. He further identified the accused Rambalak Yadav who is present before the court.

During cross-examination, P.W.-01 states that written application which was given to the S.H.O. is not in his handwriting and written application was never read before him. He further states in para-05 that accused Rambalak Yadav is his cousin and on the day of occurrence some altercation took place between his wife and wife of Rambalak Yadav and when he went to save then his leg got slipped and he sustained injury due to fall. He further deposed in para-06 and 07 that accused Rambalak Yadav never assaulted him and he have settled his case with the accused persons. He lastly deposed in para-08 that he



identified the accused Rambalak Yadav as his cousin and he has no objection if case will disposed of.

4. After completion of the prosecution evidence statement of the accused person was recorded u/s 313 Cr.P.C. wherein all the incriminating evidences were put to the accused person and the same was denied by him stating he is innocent, he 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. P.W.-01 is a hearsay witness who admitted that he was not present at the place of occurrence. He deposed that he came to know about the incident later. Importantly, he stated that no one was injured in the alleged occurrence, including his father. He further admitted that the dispute arose out of a minor domestic issue between women and that the matter has been compromised. P.W.-02 is very informant of this case who initially supported the case of the prosecution but during cross-examination he stated that accused Rambalak Yadav never assaulted him and on the day of occurrence there was some altercation took place between women over the domestic issue and he sustained injury due to fall on the ground during save. Further, the written report was not written by him nor read over to him. The incident arose out of a trivial dispute between family members. He sustained

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injury due to fall after slipping, not due to assault. The accused never assaulted him. The accused is his cousin and the matter has been amicably settled. He has no objection if the case is disposed of. Doctor has also not examined in this case to corroborate the injury of the informant. Hence, there is no corroborative or independent evidence to substantiate the allegations. The prosecution has thus failed to establish the ingredients of offences under Sections 308, 323 and 504 of the I.P.C. 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.



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6. Considering the evidences brought on record and the law discussed the prosecution abjectly failed to establish its case beyond all reasonable doubt.

Hence, sole accused namely Rambalak Yadav is being acquitted of all the said charges and his 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
21.04.2026

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Nawada

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