

FORM A

IN THE COURT OF ADDITIONAL SESSIONS JUDGE-1ST, DANAPUR Present Shri Kumar Gunjan, Additional Sessions Judge, Danapu Date of Judgment : – 08-04-2026 Sessions Trial No. -1358A/1998 (Arising out of Maner P.S. Case No. 149 of 1996) Registered u/s 147, 148, 149, 323, 324, 341, 307 of Indian Penal Code, 1860 and Section 27 of the Arms Act)	
Complainant	STATE OF BIHAR (through the informant Surendra Rai, son of Raja Rai, resident of Chhitnawa, P.S.- Maner, Distt.- Patna)
REPRESENTED BY	Shri Ramkeshwar Prasad, Ld. A.P.P
ACCUSED	1. Satyendra Rai, S/o Late Chandeshwar Rai, aged about 54 years, residents of Village- Chhitnawa, P.S.- Maner, Distt.- Patna (A1)
REPRESENTED BY	Sri Jitendra Prasad, learned Advocate

FORM B

Date of Offence	26-12-1996
Date of FIR	26-12-1996
Date of Chargesheet(s)	19-03-1997
Date of Framing of Charges	18-04-2012
Date of commencement of evidence	01-05-2012
Date on which judgment is reserved	08-04-2026
Date of the Judgment	08-04-2026
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	Whether Acquitted or convicted	Sentence Imposed	Detention Undergone during Trial for purpose of section 428, Cr.P.C.
A1	Satyendra Rai	N/A	N/A	147, 148, 448, 324/149, 307/149 IPC and Section 27 of the Arms Act	Acquitted	N/A	

JUDGMENT

1. The accused Satyendra Rai stands charged for the offence under Section 147, 148, 448, 324/149, 307/149 of Indian Penal Code, 1860 (hereinafter referred to as 'IPC') and Section 27 of the arms act to which he pleaded not guilty and claimed to be tried.
2. The prosecution case, in brief, is that on 26-12-1996, there was Panchayati for the land dispute, where at about 7:00 A.M. Kalpnath Rai, Prabhu Rai, Deo Prasad Rai, Niranjana Rai, duly armed with pistol and Gun, reached at the house of Sundari Devi and started firing by which Sundari Devi sustained injury. In the meantime Wakil Rai, Sushil Rai, Yogendra Rai, Mala Rai, Mathura Rai, Ajay Kumar, Bhikhari Rai, Ram Balak Rai, Nawal Rai, Sant Bilash Rai, Teni Rai, Harendra Rai, Nagendra Rai, Jainath Rai, Satyendra Rai, Rajdeo Rai, Jai Kumar Rai and others, armed with weapons, came and started firing by which Naresh Rai, Chandrawati and others sustained injuries. Witnesses present there, saw the occurrence.
3. After investigation, Police submitted charge-sheet against the accused persons under Sections 147, 148, 149, 323, 324, 448, 307 of the IPC and Section 27 of the Arms Act, against whom charges were framed under the aforesaid Sections of the I.P.C. and Arms Act to which they pleaded not guilty and claimed to be tried.

4. Statement of the accused-persons were recorded under Section 313 of the Cr.P.C. in which they claimed to be innocent and falsely implicated in this case.
5. Now, the question for determination is that whether the prosecution succeeded to prove the guilt of the accused A1 under Sections 147, 148, 448, 324/149, 307/149 of IPC and Section 27 of the Arms Act beyond all reasonable doubts.

FINDINGS

6. Prosecution has examined only one witness namely P.W.1- Babu Saheb Rai in this case.
7. Prosecution has not examined any injured witnesses, informant and I.O. of the case.
8. Defence has not produced any oral or documentary evidence.
9. P.W.1- Babu Saheb Rai, has deposed that there was altercation with respect to the land dispute. Kalpnath Rai, Prabhu Rai pelted bricks and made firing by which Rambabu Rai, Umesh Rai, Shyam Babu Rai and Chandari Devi sustained injury. He has further deposed that Prabhu Rai made firing. Injured was treated in P.M.C.H. This witness identified only Kalpnath Rai and failed to identify Ram Balak Rai and Nawal Rai present in the Court. In his cross-examination, he has stated that he could not know that as to who pelted bricks. At the place of occurrence, Villagers

came, but he failed to identify them. There is two party in the village and he has admitted land dispute between the parties. He has further stated in para-4 of his evidence, he could not say as to who has assaulted from which weapon.

10. This is a case of the year 1996. Charge was framed in this case on 18-04-2012 and case was pending for more than five years for the prosecution evidence, but the prosecution has examined only one witness P.W.1 on 27-07-2012 and after that inspite of the knowledge to the informant that case is at evidence stage, no turned up to depose in this Court. Non examination of the informant, injured witness, gives death blow to the prosecution case and further non examination of the doctor and I.O. totally demolishes the prosecution case as whole.

11. Evidence of P.W.1, which is also self contradictory and he has failed to state the manner of occurrence and his evidence does not find support either from the informant or any other witness.

12. In view of the facts and circumstances of the case, I find that the prosecution has miserably failed to bring home charges leveled against the accused-person beyond shadow of all reasonable doubts and accused person is entitled for benefit of doubt. As such the accused A1 is not guilty for the charges leveled against him under Sections 147, 148, 448, 324/149, 307/149 of IPC and Section 27 of the Arms Act and he is acquitted from the charge leveled against him and he is further discharged from the

liabilities of his respective bail bonds and set at liberty henceforth.

13. Pending application(s), if any, shall stand disposed of.

Sd./-

(Kumar Gunjan)

Additional Sessions Judge-I

Danapur.

08-04-2026.

Dictated and corrected by me;

Sd./-

(Kumar Gunjan)

Additional Sessions Judge-I, Danapur

08-04-2026.

FORM C

LIST OF PROSECUTION/DEFENCE/COURTWITNESSES

A. Prosecution

RANK	NAME	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
PW1	Babu Saheb Rai	Other witness

B. Defence Witnesses, if any:

RANK	NAME	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
Nil	Nil	Nil

C. Court Witnesses, if any:

RANK	NAME	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
CW1		NIL

LIST OF PROSECUTION/DEFENCE/COURT EXHIBITS

A. Prosecution:

Sr. No	Exhibit Number	Description
1.	Nil	Nil

B. Defence:

Sl. No	Exhibit Number	Description
1	Nil	Nil

C. Court Exhibits

S No	Exhibit Number	Description
1	Nil	NIL