

**IN THE COURT OF JUDICIAL MAGISTRATE 1st CLASS, PALIGANJ,
PATNA**

Present: Pawan Kumar Chaudhary

JM-1st Class

[Date of the Judgment 12.03.2026]

[GR No. 781/2010]

(Dulhin Bazar 59/2010)

BRPA-51-000-594-2018

INFORMANT	STATE (through Lav Kus Yadav S/o Motilal Yadav, R/o Village- Village Alipur, PS Dulhin Bazar, Patna.
REPRESENTED BY	Sh. Bablu Kumar Ld. PO for the State.
Accused	<ol style="list-style-type: none">1. Rambabu Yadav, aged about 60 years, S/o Late Bhaju Yadav. (A1).2. Mehi Lal, aged about 40 years, S/o S/o Late Bhaju Yadav. (A2)3. Binder Yadav aged bout 35 years, S/o Late Bhaju Yadav (A3). All are R/o Village- Village Alipur, PS Dulhin Bazar, Patna.

REPRESENTED BY	Sh. Vijay Shankar Dhari Singh Ld. Defence Counsel
Date of Offence	15.04.2010 at about 09 A.M
Date of FIR	FIR No. 59/2010 PS- Dulhin Bazar dated 15.04.2010 U/s 341, 323, 337, 504, 34 of IPC.
Date of Charge Sheet	Charge sheet No. 65/2010 dated 30.04.2010 U/s 341, 323, 337, 504, 34 of IPC.
Date of Cognizance	12.05.2010 U/s 341, 323, 337, 504, 34 of IPC.
Date of acquisition explain	04.09.2010 U/s 341, 323, 337, 504, 34 of IPC.
Date of commencement of evidence	06.10.2010
Date of closing of prosecution evidence.	21.07.2025
Date of statement of accused persons	03.12.2025
Date of closing of defence evidence	27.01.2026

Date on which judgment is reserved	09.03.2026
Date of the Judgment	12.03.2026
Date of the Sentencing Order, if any.	Acquittal

Rank of the Accused	Name of Accused	Date of surrender	Date of Release on Bail	Offences Charged with	Whether Acquitted or convicted	Sentence	Period of Detention Undergone during Trial for purpose of section 428, Cr.P. C.
A1	Rambabu Yadav Binder Yadav	06.07.2010	06.07.2010	U/s 341, 323, 337, 504, 34 of IPC.	Acquittal	--	-----
A2	Mehi Lal	06.07.2010	06.07.2010	U/s 341, 323, 337, 504, 34 of IPC.	Acquittal	--	-----

A3	Binder Yadav	06.07.2010	06.07.2010	U/s 341, 323, 337, 504, 34 of IPC.	Acquitt al	--	-
----	-----------------	------------	------------	---	---------------	----	---

-: JUDGMENT: -

1. Acquisition has been framed and explained U/s 341, 323, 337, 504, 34 of IPC against the above-named accused persons has been explained in Hindi, upon which they do not plead guilty and claim to be tried, and they are facing trial for the same offences.

CASE OF THE PROSECUTION

2. The prosecution's story is that on 15.04.2010 at about 09.A.M informant along with his younger brother Dina Nath carry Paddy Husk (Newari) from Khaliyan (courtyards). When he reached home than his son Kailash sought that Ram Babu has beaten his uncle with lathi. When he went out side the home than he saw the Ram Babu holding lathi and abusing. Younger Brother of Ram Babu namely Mehi Lal Yadav and Binder Yadav has also beaten the informant sons. Due to attack his brother sustain head injury. They also throw the

stone/bricks on him and he sustain injury. Jai Prakash Yadav and Rajender Yadav have witnessed the incident.

3. Based on said information, an FIR is registered against above named accused persons.
4. That after investigation IO/Police filed a charge sheet against above named accused persons.
5. Accused persons surrendered before the court, and they were on bail.
6. Cognizance taken against the accused persons.
7. Acquisition has been explained in Hindi, upon which they did not plead guilty and claimed to be tried.
8. Prosecution has not examined any witnesses inspite of sufficient opportunity being given.
9. Accused persons are examined u/s 313 of Cr.P.C., in which they denied the veracity of the prosecution's case and pleaded their innocence. Further stated that the informant has been duly compensated in light court's direction.

10. Defence has neither adduced any witness nor produced any documentary evidence in its defence. On the request of Ld. Defence counsel, defence evidence was closed.
11. Now pertinent question before this court is whether the prosecution has succeeded in proving the guilt of the accused persons beyond a reasonable doubt?

DISCUSSION, DECISION & REASON THEREFORE

12. During the argument, Learned Defence Counsel submitted that the informant, I/O and other independent witness has not been examined by the prosecution. Prosecution has failed to discharge the burden of proof. On the other hand, prosecution has not stated anything to counter the defence counsel.
13. Considering the entire facts & circumstances, and other material available on record, submissions made by both sides and discussion made above, this Court find that the prosecution has failed to prove charges for offences punishable U/s 341, 323, 337, 504, 34 of IPC explained to abovenamed accused persons, beyond a reasonable doubt. Accordingly, this Court hold that all accused

persons, namely, **A1 to A3** is not guilty of the offences as charged against them and they should be acquitted in the interest of justice.

O R D E R

14. As a result, all five accused persons, namely, **A1 to A3, are** acquitted of the charges of offences punishable U/s 341, 323, 337, 504, 34 of IPC. Since they are on bail, their bailors are also discharged from the liabilities of their bail bonds. All the process issued by this court in this case is hereby cancelled. The file will be consigned to the record room after necessary compliance.

Judgment is Pronounced in the Open Court on this 12th March 2026

Dictated

Pawan Kumar Chaudhary

JM 1st Class, Paliganj

Date of Judgment/ Order	12.03.2026
Date of Reserving Judgment/Order	09.03.2026
Uploading Date	13.03.2026
Uploaded by	Nipu Kumari

APPENDIX

LIST OF PROSECUTION/DEFENCE/COURT WITNESSES

A. **PROSECUTION:**

NA

B. **DEFENCE WITNESSES, IF ANY:**

-None

C. **COURT WITNESSES, IF ANY:**

-None

LIST OF PROSECUTION/DEFENCE/COURT EXHIBITS

A. **PROSECUTION:**

B. **DEFENCE**

-None

C. **COURT Exhibit**

-None

Dictated

Pawan Kumar Chaudhary

JM 1st Class, Paliganj