



FORM A

IN THE COURT OF SESSIONS JUDGE, ROHTAS AT SASARAM [Bihar] Present ANUJ KUMAR JAIN, Sessions Judge. [Date of the Judgment:- 23.03.2026 [S.Tr. Case No.-214/2016, CIS No. 214/2016] [Kargahar P.S. Case No.- 64/2015, U/Ss. 341, 323, 307, 504/34 of Indian Penal Code.	
INFORMANT	STATE OF BIHAR THROUGH JAGRANATH YADAV
PRESENTED BY	SRI UPENDRA KUMAR, Ld. P.P.
ACCUSED PERSONS	1. Satendra Yadav, aged about 32 years, son of Baij Nath Singh. 2. Ravindra Yadav, aged about 30 years, son of Baij Nath Singh. 3. Baij Nath Yadav, aged about 53 years, Son of Late Hira Singh RR/o Vill- Mohanpur, P.S.- Kargahar, District- Rohtas.
REPRESENTED BY	Sri Mukati Naraian Tiwari, Advocate

FORM B

Date of Offence	06-03-2015
Date of FIR	06-03-2015
Date of Chargesheet	31-08-2015
Date of Framing of Charges	22-09-2018
Date of commencement of evidence	15-11-2018
Date on which judgment is reserved	19-03-2026
Date of the Judgment	23-03-2026
Date of the Sentencing Order, if any	NA

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	Period of Detention Undergone during Trial for purpose of section 428, Cr.P.C.
1	Satendra Yadav	-	-	U/Ss. 307/34, 323,341,504 of the IPC	Acquitted	-	NA
2	Ravindra Yadav	-	-	U/Ss. 307/34, 323,341,504 of the IPC	Acquitted	-	NA
3	Baij Nath Yadav	-	-	U/Ss. 307/34, 323,341,504 of the IPC	Acquitted	-	NA

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	Jagranath Yadav	Informant
PW2	Sheo Narayan Singh	Other witness
PW3	Bigan Sahu	Investigating Officer
PW4	Radheshyam Singh @ Radheshyam Yadav	Other witness
PW5	Pintu Singh @ Pintu Yadav	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		

C. Court Witnesses, if any:

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

LIST OF PROSECUTION/DEFENCE/COURT EXHIBITS

A. Prosecution:

Sr. No	Exhibit Number	Description
1	Exhibit - 1	Signature of Informant on written application
2	Exhibit - 2	Signature and writing of S.H.O., Anil Kumar on F.I.R.
3	Exhibit - 3	Charge-sheet No. 106/2015 dated 31-08-2015

B. Defence:

Sr. No	Exhibit Number	Description
NIL		

C. Court Exhibits

Sr. No	Exhibit Number	Description
NIL		

D. Material Objects:

Sr. No	Material Object Number	Description
NIL		

J U D G M E N T

1. The accused persons namely (1) Satendra Yadav, (2) Ravindra Yadav and (3) Baij Nath Yadav were charged for the offence punishable under sections 307/34,323,341 and 504 of the Indian Penal Code, to which they pleaded not guilty and claimed to be tried.
2. As per FIR, the informant Jagranath Yadav, has alleged that on 06-03-2015 at about 05.00 P.M., Satendra Yadav threw water in his courtyard. On query, the accused persons namely Satendra Yadav, Ravindra Yadav and Baij Nath Yadav assaulted him and his son by means of *Lathi* and *Danda* due to which they sustained head injury.
3. On the basis of written application of informant Jagranath Yadav, Kargahar P.S. Case No. 64/2015 under sections 341, 323, 307, 504/34 of the Indian Penal Code was registered against accused persons namely (1) Satendra Yadav, (2) Ravindra Yadav and (3) Baij Nath Yadav. After completion of the investigation, I.O. of the case submitted charge sheet No. 106/2015 against above said accused

persons under sections 341, 323, 307, and 504/34 of the Indian Penal Code. Thereafter, court of Ld. Chief Judicial Magistrate, Sasaram took cognizance of the offence on 17-09-2015 against accused persons under sections 341, 323, 307, and 504/34 of the Indian Penal Code. After that, case was committed to the Court of Sessions on 11-04-2016 and case record was received to this Court on 06-05-2016 for trial and disposal. Thereafter, Sessions Trial No. 214/2016 was registered of this case.

4. On 22-09-2018 charge was framed against accused persons namely (1) Satendra Yadav, (2) Ravindra Yadav and (3) Baij Nath Yadav under sections 307/34, 323, 341 and 504 of the Indian Penal Code, which was read over and explained to the accused persons in Hindi, to which they pleaded not guilty and claimed to be tried.

5. The accused persons in their statements under section 313 Cr.P.C., [Now Section 351 of BNSS], have stated that they are quite innocent and have committed no offence and they have falsely been implicated in this case.

6. The point for consideration now is :

“Whether the prosecution has succeeded to prove the alleged charge framed against accused persons beyond all reasonable shadow of doubts in the manner alleged and they are guilty for the same ?

FINDINGS

7. In order to substantiate the alleged charge framed against the accused persons, the prosecution has examined 5 witnesses in all and out of them (P.W.-1) Jagranath Yadav (Informant), (P.W.-2) Sheo Narayan Singh, (P.W.-3) Bigan Sahu (I.O), (P.W.-4) Radheshyam

Singh @ Radheshyam Yadav and (P.W.-5) Pintu Singh @ PintuYadav.

In documentary evidence, the prosecution has proved signature of informant Jagranath Yadav on written application as Ext.-1, signature and writing of S.H.O., Anil Kumar on F.I.R. as Ext.-2 and Charge-sheet No. 106/2015 dated 31-08-2015 as Ext.-3.

No any oral or documentary evidence has been adduced on behalf of the defence.

8. **P.W.-1**, Jagranath Yadav, who is informant of the case, has stated in examination-in-chief that occurrence took place 3 years ago at 5 P.M., Satyendra Yadav threw water into his courtyard and when he inquired into the matter, Ravindra Yadav and Baij Nath Yadav assaulted him due to which he sustained head injury. On his cry, villagers arrived and intervened into the matter. In Para-5, his treatment was done at Kargahar hospital. In Para-6, he identified accused Baij Nath Yadav before the Court and claimed to identify other accused persons. In Para-7, he identified his signature on written application which has been marked as Ext-1.

In **cross-examination** on behalf of accused persons, he stated that Satendra Singh's courtyard and his courtyard are adjacent to each other. In Para-10, he was not at home at the time of occurrence. In Para-11, he lodged this case at the instance of others. In Para-12, he didn't see, who assaulted him. In Para-12, it is incorrect to say that no such occurrence had taken place.

9. **P.W.-2**, Sheo Narayan Singh has stated in examination-in-chief that he did not know anything about the occurrence and his statement was not recorded by the police. Thereafter, this witness has

been declared hostile and Ld. P.P. was permitted to cross-examine the witness.

In **cross-examination** on behalf of accused persons, he stated that he has been living out of village since 10 years.

10. P.W.-3, Bigan Sahu, who is Investigating Officer of this case has stated in examination-in-chief that on 06-03-2015 he was posted at Nokha P.S. He identified signature and writing of S.H.O., Kargahar, Anil Kumar on F.I.R, which has been marked Ext.-2. Further, Formal F.I.R. was also registered by Anil Kumar Singh. In Para-2, he identified his writing and signature on charge-sheet, which has been marked Ext.-3. In Para-3, he took charge of investigation on 14-06-2015 and recorded written application in the case diary. After that, he recorded re-statement of the informant. After that, injury report was prepared through Ranjit Prasad Singh. Thereafter, he recorded statement of witnesses Radhey Shyam Yadav, Pintu Yadav and Shivnarayan Yadav. After that, he recorded injury report in the case diary. Thereafter, he submitted charge-sheet no. 106/2015 dated 31-08-2015 under Sections 341,323,307 and 504 of the Indian Penal Code against the accused persons.

In **cross-examination** on behalf of accused persons, he stated that the then investigating officer had visited at the place of occurrence. In Para-5, it is incorrect to say that under pressure of superior official, he conducted defective investigation.

11. P.W.-4, Radhey Shyam Singh @ Radheyshyam Yadav has stated in examination-in-chief that he came to know about the occurrence after two days. He identified accused persons present in the

court. In Para-3, quarreling took place between Baiju Jagarnath and accused persons. In Para-4, informant and accused persons are own brothers and partition took place between them. In Para-6, occurrence took place in the month of March 2015.

In **cross-examination** on behalf of accused persons, he stated that he didn't know anything about the occurrence. In Para-10, he couldn't say, who had told him about the occurrence.

12. P.W.-5, Pintu Singh @ Pintu Yadav has stated in examination-in-chief that informant and accused persons are own brothers. He identified accused persons present in the court. In Para-4, he didn't know, who had assaulted to whom.

In **cross-examination** on behalf of accused persons, he stated that he never met to police in this regard.

13. Ld. P.P. Sri Upendra Kumar argued that present case has been lodged on the basis of written application of the informant, who alleged that on 06-03-2015 at about 05.00 P.M., Satendra Yadav threw water in his courtyard and when he asked about it, the accused persons assaulted him and his son by means of *Lathi* and *Danda* due to which they sustained head injury. He further argued that I.O submitted charge-sheet No. 106/2015 under Sections 341, 323, 307 and 504 of the Indian Penal Code against the accused persons. He further argued that (P.W-1) Jagranath Yadav, informant of this case supported the prosecution version who stated in examination-in-chief that on the day of occurrence, accused Satendra Yadav poured water into his courtyard and when he inquired into the matter, Ravindra Yadav and Baij Nath Yadav assaulted him due to which he sustained head injury. Further his

treatment was done at Kargahar hospital. He has also identified accused Baij Nath Yadav before the court and also claimed to identify other accused persons. He further argued that the informant has proved his signature on written application as Ext.-1. He further argued that (PW-4) Radheshyam Singh @ Radheshyam Yadav has also supported the occurrence who has stated in examination-in-chief Para-3 that quarrel had taken place between Baiju Jagranath and accused persons. He further argued that (P.W.-3) Bigan Sahu, who is investigating officer has proved writing and signature of S.H.O. on F.I.R. as Ext.-2 and Charge-sheet No. 106/2015 dated 31-08-2015 as Ext.-3. He further argued that conviction can be based on sole testimony, if it is reliable and trustworthy. He further argued that informant has supported the case of the prosecution and his testimony is reliable and trustworthy, which is corroborated by (P.W.-3) Bigan Sahu.

Ld. P.P Sri Upendra Kumar argued that prosecution has established the case beyond all reasonable doubt to prove charge framed against the accused persons. He prayed for the conviction of the accused persons.

14. Ld. Defence Counsel Sri Mukati Naraian Tiwary, on behalf of defence has argued that accused persons have been implicated falsely in the case whereas, they are innocent. He argued that accused persons have not committed any offence as alleged. He further argued that the witnesses produced before the court have not supported the prosecution case. He further argued that informant (P.W.-1) Jagranath Yadav has not supported the prosecution version as he stated in cross-examination that he was not present at the time of occurrence.

In Para-12 he stated that he didn't see who assaulted to whom. He further argued that (P.W.-4) Radheshyam Singh @ Radheshyam Yadav has also not supported the case of the prosecution as he stated in examination-in-chief Para-2 that he came to know about the occurrence after two days. He further argued that (P.W.-3) Bigan Sahu I.O. of this case is formal witness. He further argued that other witnesses have been declared hostile and they have not supported the case of the prosecution. He further argued that no other witness corroborated the version of the informant. He further argued that there are material contradictions in the statements of the witnesses, which create doubt.

Ld. Defence Counsel on behalf of accused persons has further argued that prosecution has miserably failed to prove the charge framed against the accused persons. Ld. Counsel for the defence prayed to acquit of the accused persons.

15. I have heard the arguments of Ld. Counsel Sri Mukati Naraian Tiwary, on behalf of accused persons and Sri Upendra Kumar, Ld. P.P. on behalf of State and perused the record and scrutinized and analyzed the witnesses examined on behalf of prosecution.

16. In brief, the informant has alleged that on 06-03-2015 at about 05.00 P.M., the accused persons assaulted the informant and his son by means of *Lathi* and *Danda* due to which they sustained head injury.

The prosecution in support of its case has examined altogether 5 witnesses. Out of them, (P.W.-1) Jagranath Yadav [informant], (P.W.-4) Radheshyam Singh @ Radheshyam Yadav are witnesses of the facts of the case. Whereas, (P.W.-3) Bigan Sahu (I.O.) is formal

witness. The remaining witnesses (P.W.-2) Sheo Narayan Singh and (P.W.-5) Pintu Singh @ Pintu Yadav have been declared hostile.

However, (P.W.-1) Jagranath Yadav [Informant] has supported the case of the prosecution, as he stated in examination-in-chief that the accused assaulted him due to which he sustained head injury. His treatment was done at Kargahar hospital. He identified his signature on written application which is Ext.-1. But in cross-examination Para-10, he stated that he was not present at the time of occurrence. Further, he stated that he didn't see who assaulted to whom and at the instance of others he lodged this case against the accused persons.

Further, (P.W.-4) Radheshyam Singh has stated that he came to know about the occurrence after two days. He further stated that the informant and accused are own brothers and partition took place between them. As such, testimony of this witness is not reliable and trustworthy.

Though, the informant has supported the case of the prosecution but his version is not corroborated by any other witness. No doubt, conviction can be based solely on the testimony of a witness, provided that the witness is found to be wholly reliable and trustworthy. But in present case, testimony of (P.W.-1) Jagranath Yadav is not wholly reliable and trustworthy as he stated in cross-examination that he was not present at the time of occurrence and he didn't see who assaulted to whom.

Further, (P.W.-3) Bigan Sahu, [Investigating Officer] in cross-examination Para-4, stated that he didn't visit the place of

occurrence. Although, I.O. is a formal witness. Furthermore, there is no medical evidence to corroborate allegation of informant (P.W.-1) Jagranath Yadav.

In the present case, there is no sufficient evidence to substantiate charge levelled against the accused persons. The witnesses have not stated about the manner of occurrence, place of occurrence and act done by the accused persons as alleged by the prosecution. There is no independent witness to corroborate the version of informant (P.W.-1) Jagranath Yadav. Moreover, (P.W.-2) Sheo Narayan Singh and (P.W.-5) Pintu Singh @ Pintu Yadav have stated that they did not know anything about the occurrence and their statements were not recorded by the police.

In the above facts and circumstances, evidence produced by the prosecution is not sufficient and appreciable to convict the accused persons.

17. In a nutshell, testimony of the witnesses when read as a whole, they do not inspire confidence. There are certain features of testimony, which cast a doubt on their truthfulness. As discussed above, evidence of the witnesses produced by the prosecution are not sufficient and appreciable to convict the accused persons. The prosecution miserably failed to prove the charge framed against the accused persons.

18. Having gone through carefully the facts and discussion and evidence available on record, I have come to the conclusion that prosecution has not succeeded to prove the alleged charge levelled against the accused persons beyond shadow of reasonable doubt in the manner alleged.

19. The charge was framed against accused persons namely (1) Satendra Yadav, (2) Ravindra Yadav and (3) Baij Nath Yadav for committing the offence punishable under sections 307/34,323,341 and 504 of the Indian Penal Code.

20. It is therefore,

ORDERED

that under the facts, circumstances and on the basis of evidence adduced on record, the accused persons namely (1) Satendra Yadav, (2) Ravindra Yadav and (3) Baij Nath Yadav are acquitted of the charge framed against them. Their bail bonds and security bonds stand discharged. Office clerk is directed to consign the record as per rules.

**Announced in open Court:
On 23rd March, 2026.**

Dictated & Corrected by me

(Anuj Kumar Jain)
Sessions Judge
Rohtas at Sasaram
23.03.2026

(Anuj Kumar Jain)
Sessions Judge
Rohtas at Sasaram
23.03.2026

Judgment typed by :
Deepak Kumar
Stenographer