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In the Court of Deepak Kumar, Principal Sessions Judge, Sheohar
Sessions Trial No. 67/2021
(Sheohar P.S. Case No. 187/2020)
State V/s Krishnandan Pandey & Others
(CNR No. BRSO01-001096-2021)

FORM-A

In the Court of Principal Sessions Judge, Sheohar, Bihar Present:- Deepak Kumar, Principal Sessions Judge, Sheohar STr No- 67/2021 Sheohar PS. Case No. 187/2020 GR. No.- 698/2020 CNR No.- BRSO01-001096-2021 Offence:- 147, 148, 307/149, 323/149, 341/149 & 324/149 of I.P.C. (Date of Judgment:- 16.06.2026)	
COMPLAINANT/INFORMANT	Randhir Pandey, S/o Late Balmiki Pandey, Village Mamrejpur, Post Office Padrahi, Police Station/District Sheohar.
ACCUSED PERSONS	01. Krishna Nandan Pandey, son of Late Radha Mohan Pandey, aged about 56 years. 02. Raja Pandey, son of Krishna Nandan Pandey, aged about 27 years. 03. Pintu Pandey, son of Late Bhola Pandey, aged about 33 years. 04. Kaushal Pandey, son of Late Bhola Pandey, aged about 33 years. 05. Manoj Pandey, son of Late Bhola Pandey, aged about 40 years. 06. Munna Pandey, son of Late Bhola Pandey, aged about 44 years. 07. Ranjan Mandal, son of Late Shyamdev Mandal, aged about 40 years. 08. Sanjeev Mandal, son of Bijli Mandal, aged about 48 years. 09. Jitendra Mandal, son of Late Shri Narayan Mandal, aged about 30 years. 10. Ramdeo Mandal, son of Late Amir

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	Mandal, aged about 86 years. 11. Rajan Mandal, son of Shambhu Mandal, aged about 32 years. All residents of Village Mamrejpur, Ward No. 09, Police Station Sheohar (Fatehpur), District Sheohar.
REPRESENTED BY COMPLAINANT/ INFORMANT	Sri Suresh Rai, Learned Public Prosecutor. Sri Manoj Kumar, Learned Counsel for the Informant.
REPRESENTED BY ACCUSED PERSONS	Mr. Shambhu Sharan Giri, Learned Advocate.

FORM-B

Date of offence	01-07-2020
Date of F.I.R.	01-07-2020
Date of Charge-sheet	C.S.- 267/2020, Dated- 31-08-2020
Date of Cognizance	04-12-2020
Date of Framing Charges	21-03-2022
Date of Commencement of Evidence	19-04-2022
Date of which judgment is reserved	04-05-2026
Date of judgment	16-06-2026
Date of the Sentencing order, if any	N.A.
Date of Amalgamate to Record	

Accused Details

Rank of the Accused	Name of Accused	Date of Arrest	Date of Release on Bail	Offence Charged with	Whether Acquitted or convicted	Sentence imposed	Period of Detention during Trial for purpose of section 428 of Cr.P.C.
1.	Krishna Nandan Pandey	-	25-08-2020	U/s- 147, 148, 307/149, 323/149, 341/149, 324/149 of I.P.C.	Acquitted		
2.	Raja Pandey	-	25-08-2020				
3.	Pintu Pandey	-	25-08-2020				

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4.	Kaushal Pandey	02-07-2020	10-07-2020				
5.	Manoj Pandey	-	25-08-2020				
6.	Munna Pandey	-	25-08-2020				
7.	Ranjan Mandal	02-07-2020	10-07-2020				
8.	Sanjeev Mandal	02-07-2020	10-07-2020				
9.	Jitendra Mandal	02-07-2020	10-07-2020				
10.	Ramdeo Mandal	02-07-2020	10-07-2020				
11.	Rajan Mandal	-	25-08-2020				

FORM-C
LIST OF PROSECUTION/DEFENSE/COURT WITNESS

A. Prosecution :

RANK	NAME	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
01.	Shakuntala Devi	Prosecution Evidence No.-1 (Hostile Witness)
02.	Dheeraj Pandey	Prosecution Evidence No.-2 (Hostile Witness)
03.	Indrajeet Mandal	Prosecution Evidence No.-3 (Hostile Witness)
04.	Randheer Pandey	Prosecution Evidence No.-4 (Informant,Hostile Witness)
05.	Anita Devi	Prosecution Evidence No.-5 (Investigating Officer)
06.	Radhakant Pandey	Prosecution Evidence No.-6
07.	Nitesh Kumar Pandey	Prosecution Evidence No.-7
08.	Manoj Kumar Pandey	Prosecution Evidence No.-8

B. Defence Witness, if any ; -NIL

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

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C. Court Witness, if any ; -NIL

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

LIST OF PROSECUTION/DEFENCE/COURTS EXHIBITS

A. PROSECUTION;-

SR. No.	EXHIBIT NUMBER	DESCRIPTION
01.	Exhibit-1	Signature of Randheer Kumar on the written application.
02.	Exhibit-1/1	Endorsement on the written application.
03.	Exhibit-2	Formal First Information Report (FIR) in Sheohar Police Station Case No. 187/2020.

B. DEFENCE

SR. NO.	EXHIBIT NUMBER	DESCRIPTION

C. COURT EXHIBITS ; NIL

SR. NO.	EXHIBIT NUMBER	DESCRIPTION

D. MATERIAL OBJECTS ;

SR. NO.	MATERIAL OBJECT NUMBER	DESCRIPTION

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Present: Deepak Kumar
Principal Sessions Judge,
Sheohar

Sheohar Dated- 16th June, 2026.

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State

Vrs.

Krishnandan Pandey & Others

Charge framed under
Section- 147, 148, 307/149, 323/149,
341/149, 324/149 of I.P.C.

Learned Lawyer for the State:- Sri Suresh Roy, Ld. P.P.

Learned Lawyer for the Informant :- Sri Manoj Kumar

Learned Lawyer for the defence:- Sri Shambhu Sharan Giri

JUDGMENT

01. In the present Sessions Trial, a total of eleven accused persons, namely: 1. Krishnanandan Pandey, 2. Raja Pandey, 3. Pintu Pandey, 4. Kaushal Pandey, 5. Manoj Pandey, 6. Munna Pandey, 7. Ranjan Pandey, 8. Sanjeev Mandal, 9. Jitendra Mandal, 10. Ramdeo Mandal,

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and 11. Rajan Mandal, have been put on trial for offences punishable under Sections 147, 148, 307/149, 323/149, 341/149 and 324/149 of the Indian Penal Code.

02. The prosecution case, in brief, as per the First Information Report (FIR), is that the informant, Randheer Pandey, stated in his written application submitted at Shivhar Police Station that on 01.07.2020 at about 08:30 A.M., he was going from his house to Dhobahi Bazaar. On the way, near the house of Sanjeev Mandal, accused persons namely Krishnanandan Pandey, Raja Pandey, Pintu, Kaushal, Manoj, Munna, Ranjan Mandal, Sanjeev Mandal, Jitendra Mandal, Ramdeo Mandal and Rajan Mandal, all residents of Village–Mamrejpur, Ward No. 09, Police Station and District–Sheohar, were present armed with lathis, farsa and pieces of bricks, and while abusing him, assaulted and injured him. It is alleged that Pintu Pandey struck the informant on his head with a lathi, causing head injury. On hearing his noise, his elder brother Dheeraj Pandey, uncle Radhakant Pandey, cousin brother Manoj Pandey and Munna Pandey came to rescue him, but they too were brutally assaulted and injured by the accused persons. The informant further alleged that on the previous Wednesday, a dispute had arisen with Krishnanandan Pandey regarding removal of wire from a transformer, during which the accused had threatened to kill

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them.

03. On the basis of the aforesaid written application, Shivhar Police Station Case No. 187/2020 dated 01.07.2020 was instituted under Sections 147, 148, 149, 307, 323, 324 and 341 of the Indian Penal Code, and investigation was taken up. After completion of investigation, the Investigating Officer found the allegations to be true against all the eleven accused persons named in the FIR, namely: 01. Krishnanandan Pandey, 02. Raja Pandey, 03. Pintu Pandey, 04. Kaushal Pandey, 05. Manoj Pandey, 06. Munna Pandey, 07. Ranjan Pandey, 08. Sanjeev Mandal, 09. Jitendra Mandal, 10. Ramdeo Mandal, and 11. Rajan Mandal, and accordingly submitted Charge-sheet No. 267/2020 dated 31.08.2020 against all the aforesaid accused persons under Sections 147, 148, 149, 341, 323, 324 and 307 of the Indian Penal Code before the Court. Thereafter, the learned Chief Judicial Magistrate, Shivhar, upon perusal of the First Information Report, charge-sheet and case diary, found a prima facie case to be made out against all the aforesaid eleven accused persons under Sections 147, 148, 149, 341, 323, 324 and 307 of the Indian Penal Code, took cognizance of the offences on 04.12.2020, and by order dated 12.04.2021 directed commitment of the records relating to the present case to the Court of Sessions. In pursuance thereof, the records

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were transmitted to the Court of the learned District and Sessions Judge on 22.05.2021.

04. In the present case, charges were framed on 21.03.2022 against all the aforesaid eleven accused persons, namely: 1. Krishnanandan Pandey, 2. Raja Pandey, 3. Pintu Pandey, 4. Kaushal Pandey, 5. Manoj Pandey, 6. Munna Pandey, 7. Ranjan Pandey, 8. Sanjeev Mandal, 9. Jitendra Mandal, 10. Ramdeo Mandal, and 11. Rajan Mandal, under Sections 147, 148, 307/149, 323/149, 341/149 and 324/149 of the Indian Penal Code. The charges were read over and explained to all the accused persons in Hindi, to which they pleaded not guilty and claimed to be tried. Thereafter prosecution evidence was recorded. After closure of prosecution evidence on 10.03.2026 . The statement of the above-named accused persons was recorded on 19.03.2026 under Section 313 of the Code of Criminal Procedure. In their statement, all the aforesaid accused persons denied the occurrence and claimed themselves to be innocent. Thereafter, on behalf of defence no oral or documentary evidence was produced. After closure of defence evidence case was put for argument on 18.04.2026.

05. Now it has to be seen whether the prosecution has been able to prove the charges leveled against accused persons 1. Krishnanandan

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Pandey, 2. Raja Pandey, 3. Pintu Pandey, 4. Kaushal Pandey, 5. Manoj Pandey, 6. Munna Pandey, 7. Ranjan Pandey, 8. Sanjeev Mandal, 9. Jitendra Mandal, 10. Ramdeo Mandal, and 11. Rajan Mandal, beyond all reasonable doubt or not?

06. On behalf of the prosecution, in support of its case, apart from the seven witnesses mentioned in Column No. 13 of the charge-sheet, one additional witness was also examined. Thus, in all, eight witnesses were examined by the prosecution namely P.W. 1 Shakuntala Devi , P.W. 2 Dheeraj Pandey, P.W. 3 Indrajeet Mandal and P.W. 4 Randheer Pandey the informat, P.W. 5 Anita Devi(Investigating Officer),P.W. 6 Radhakant Pandey,P.W. 7 Nitesh Kumar Pandey, and, P.W. 8 Manoj Kumar Pandey.

07. The following exhibits have been marked on behalf of the prosecution as follows:

A. PROSECUTION;-

01.	Exhibit-1	Signature of Randheer Kumar on the written application.
02.	Exhibit-1/1	Endorsement on the written application.
03.	Exhibit-2	Formal First Information Report (FIR) in Sheohar Police Station Case No. 187/2020.

08. P.W. 1, Shakuntala Devi, in her examination-in-chief, stated on solemn affirmation that she had no knowledge regarding the occurrence. She further stated that the police officer had not recorded

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her statement.

On the prayer made by the prosecution, this witness was declared hostile.

In her cross-examination, the witness stated that she generally resides outside the village. She further stated that all the accused persons are villagers and, therefore, she knows and identifies them.

09. P.W. 2, Dheeraj Pandey, in his examination-in-chief, stated on solemn affirmation that he had no knowledge regarding the occurrence. He further stated that the police officer had not recorded his statement.

On the prayer made by the prosecution, this witness was declared hostile.

In his cross-examination, the witness stated that Shivhar Police Station is situated at a distance of seven kilometres from his village.

10. P.W. 3, Indrajeet Mandal, in his examination-in-chief, stated on solemn affirmation that he had no knowledge regarding the occurrence. He further stated that the police officer had not recorded his statement.

On the prayer made by the prosecution, this witness was declared hostile.

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In his cross-examination on behalf of the defence, the witness stated that Shivhar Police Station is situated at a distance of three kilometres from his house.

11. P.W. 04 – Randhir Pandey (Informant), in his examination-in-chief, deposed on oath that he is the informant of this case. The occurrence took place on 01.07.2020 at about 08:30 A.M. He was present at his house when a commotion arose near the transformer. A dispute had arisen regarding the connecting of wires to the transformer. A large number of persons had assembled there. He stated that he, Dheeraj Pandey, Radhakant Pandey and Munna Pandey were assaulted. However, he could not identify the persons who had assaulted them. All the injured persons were treated at Sheohar. With regard to the occurrence, a written application had been submitted to the Officer-in-Charge, Sheohar Police Station. He did not remember through whom the application had been drafted. He had put his signature on the said application. The same application was shown to him and he identified his signature thereon. He further stated that the Investigating Officer had not recorded his statement.

On the prayer of the prosecution, this witness was declared hostile.

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In his cross-examination on behalf of the accused persons, the witness stated that he has amicably settled the dispute with the accused persons out of his own free will and consent. A compromise petition and a petition seeking permission have been signed by him and filed before the Court. He does not wish to pursue the case any further. He further stated that he has no objection if the case is disposed of in view of the compromise. He deposed that a large crowd had gathered at the place of occurrence and that he did not see who had committed the occurrence against him. He stated that he had instituted the case on the basis of what was told to him by other persons. According to him, all the accused persons had come to the place of occurrence one after another. All the accused persons are residents of his village and, therefore, he knows and identifies them. He further stated that he has no knowledge regarding the contents of the written application.

12. P.W. 5, Anita Devi (Investigating Officer), in her examination-in-chief, stated on solemn affirmation that on 26.07.2020, she was posted as Sub-Inspector at Shivhar Police Station. On that day, the Officer-in-Charge of Shivhar Police Station entrusted her with the investigation of Shivhar P.S. Case No. 187/2020. The computerized formal First Information Report of Shivhar P.S. Case No. 187/2020

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was uploaded and downloaded through the computer of Shivhar Police Station, and the then Officer-in-Charge, Ashok Kumar Rai, had put his signature thereon. She identified the said signature of Ashok Kumar Rai on the formal FIR. On the written application of Ranjeet Singh, the endorsement was made in the handwriting and signature of the then Officer-in-Charge Ashok Kumar Rai, which she identified. After taking over the investigation, she perused the case diary. She received the supervision note of the Police Inspector, Sheohar, and also received the injury report of Munna Kumar Pandey. She recorded the statements of witnesses Dheeraj Pandey and Indrajeet Mandal. On the basis of the evidence collected during investigation and under the direction of superior officers, she submitted Charge-sheet No. 267/2020 dated 31.08.2020 against accused Krishnanandan Pandey, Raja Pandey, Pintu Pandey, Kaushal Pandey, Manoj Pandey, Munna Pandey, Ranjan Mandal, Sanjeev Mandal, Jitendra Mandal, Ramdeo Mandal and Rajan Mandal under Sections 147, 148, 149, 141, 323, 324 and 307 of the Indian Penal Code.

In her cross-examination on behalf of the defence, the witness stated that she had taken over the investigation on 26.07.2020. After taking charge of the investigation, she recorded the statements of witnesses Dheeraj Pandey and Indrajeet Mandal. She admitted that she

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had not recorded the defence statements of the accused persons.

13. P.W. 6, Radhakant Pandey, in his examination-in-chief, stated on solemn affirmation that the occurrence had taken place about four to five years ago at about 8:30 A.M. Dheeraj Pandey, Randheer Pandey and Keshav Pandey along with about sixteen persons were quarrelling and scuffling with each other. When he went to intervene and rescue them, the people assaulted him. He further stated that he had not seen which particular persons had assaulted him. He stated that he knows and identifies all the accused persons.

In his cross-examination on behalf of the defence, the witness stated that there was a large crowd at the place of occurrence. He further stated that he had not seen with his own eyes as to which person had committed the occurrence. He also stated that all the accused persons are villagers and, therefore, he knows and identifies them.

14. P.W. 7, Nitesh Kumar Pandey, in his examination-in-chief, stated on solemn affirmation that the occurrence had taken place about five years ago in the morning. At that time, he was asleep. Upon hearing alarm and commotion, he went to the place of occurrence, where he was also assaulted and sustained injuries. He further stated that he was treated at Shivhar Sadar Hospital. He stated that he knows and identifies all the accused persons.

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In his cross-examination on behalf of the defence, the witness stated that he had not seen as to who had assaulted him. He further stated that all the accused persons are villagers and, therefore, he knows and identifies them.

15. P.W. 8, Manoj Kumar Pandey, in his examination-in-chief, stated on solemn affirmation that the occurrence had taken place about four to five years ago at about 8:30 to 9:00 A.M. When assault was taking place in the village, he went there to intervene, whereupon he was also assaulted. He further stated that he could not see who had assaulted him. His treatment was conducted at the Government Hospital. He stated that he knows and identifies all the accused persons.

In his cross-examination on behalf of the defence, the witness stated that there was a huge crowd at the place of occurrence. He further stated that he could not see as to who had assaulted him. He also stated that all the accused persons are villagers and, therefore, he knows and identifies them.

FINDINGS

16. From the above mentioned evidence which has come on record during the course of trial now it is to be decided whether the accused

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have committed the offence and the prosecution has been able to prove its case against the accused beyond all reasonable doubt.

17. Learned Public Prosecutor appearing on behalf of the prosecution submitted that, in the present sessions trial, out of the total witnesses examined, the informant along with two other witnesses had been declared hostile. However, two other witnesses, out of whom one is the brother of the informant as well as an injured witness, and the other is the doctor who had medically examined the injured persons of the present case, have supported the prosecution case. Thus their involvement in the present case cannot be ruled out.

18. During the course of arguments, learned counsel appearing on behalf of the defence submitted that in the present case the prosecution has examined altogether eight witnesses before the Court, out of whom the informant along with three other witnesses were declared hostile by the prosecution, and they did not support the prosecution story. Among the remaining four witnesses, one witness is the Investigating Officer, while the other three witnesses stated in their examination-in-chief that they had also been assaulted during the occurrence, however, in their cross-examination they admitted that they had not seen as to which person had assaulted them or committed the occurrence. Learned defence counsel further argued that both the

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parties belong to the same family and that compromise and settlement had been amicably arrived at between them not only in the present case but also in the counter-case, and the informant witness as well as another witness, who is the brother of the informant and also an injured witness, have stated so in their respective depositions.

19. After hearing the arguments advanced on behalf of both sides, and upon perusal of the materials available on record as well as the testimonies adduced by the prosecution witnesses, it appears that the prosecution has examined altogether eight witnesses before the Court in the present case. Out of them, P.W. 1 Shakuntala Devi, P.W. 2 Dheeraj Pandey, P.W. 3 Indrajeet Mandal and P.W. 4 Randheer Pandey (informant) were declared hostile by the prosecution, and none of these four witnesses supported the alleged occurrence. The remaining witnesses are P.W. 5 Anita Devi, P.W. 6 Radhakant Pandey, P.W. 7 Nitesh Kumar Pandey and P.W. 8 Manoj Kumar Pandey.

P.W. 1, Shakuntala Devi, who was declared hostile by the prosecution, stated in her examination-in-chief that she had no knowledge regarding the occurrence and that the police had not recorded her statement. In her cross-examination, she stated that she identified the accused persons because they belonged to the same village. Thus, no such fact emerges from the testimony of this hostile

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witness so as to establish either the occurrence itself or the involvement of the accused persons therein.

P.W. 2, Dheeraj Pandey, who was also declared hostile by the prosecution, stated in his examination-in-chief that he had no knowledge regarding the alleged occurrence and that the police had not recorded his statement. Thus, no material fact emerges from the testimony of this hostile witness regarding commission of the alleged occurrence or involvement of the accused persons therein.

P.W. 3, Indrajeet Mandal, who was likewise declared hostile by the prosecution, also stated in his examination-in-chief that he had no knowledge regarding the alleged occurrence and that the police had not recorded his statement. Thus, no material fact emerges from the testimony of this hostile witness regarding commission of the alleged occurrence or involvement of the accused persons therein.

P.W. 4, Randheer Pandey, the informant of the present case, who was also declared hostile by the prosecution, stated in his examination-in-chief mainly that the occurrence had taken place on 01.07.2020 at about 08:30 A.M., at the relevant time he was at his house. There was commotion near the transformer. A dispute had arisen regarding fixing of wire on the transformer, and he, Dheeraj Pandey, Radhakant Pandey and Munna Pandey were assaulted, but he

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could not identify the assailants. A written application to the Officer-in-Charge, Sheohar Police Station, regarding the occurrence and he does not remember as to who had drafted the application; that he identified his signature on the written application.

In his cross-examination, the informant stated that compromise had been amicably effected with the accused persons. Compromise petition has been filed before the Court. He did not wish to proceed further with the case and he had no objection if the case was disposed of in terms of the compromise. He further stated that due to heavy crowd at the place of occurrence, he had not seen who had committed the occurrence against him. He instituted the case on the basis of what people had told him, that the accused persons came one after another at the place of occurrence. Thus, there are serious contradictions in the testimony of the informant who is an injured and eyewitness and no clear fact emerges from his evidence also establishing commission of the alleged occurrence by the accused persons or their involvement therein.

P.W. 6, Radhakant Pandey, stated in his examination-in-chief mainly that when he went to intervene, he too was assaulted. However, he had not seen who had assaulted him.

P.W. 7, Nitesh Kumar Pandey, stated in his examination-in-

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chief mainly that upon hearing alarm he went to the place of occurrence where he too was assaulted and sustained injuries. However, he had not seen as to who had assaulted him. Thus, though his evidence indicates that he sustained injuries in the occurrence, it does not establish as to who committed the occurrence or whether the accused persons were involved therein, since he himself admitted that he had not seen the assailants.

P.W. 8, Manoj Kumar Pandey has also stated in his examination-in-chief mainly that when assault was taking place he went to intervene and was himself assaulted but he could not see who had assaulted him.

20. Thus, in view of the aforesaid facts and circumstances, evidence on record, and appreciation of the testimonies of the witnesses available on the record, this court arrives at the conclusion that no clear and cogent evidence has come on record to establish that the present occurrence was committed by the eleven accused persons, namely: 1. Krishnanandan Pandey, 2.Raja Pandey, 3.Pintu Pandey, 4. Kaushal Pandey, 5. Manoj Pandey, 6. Munna Pandey, 7. Ranjan Pandey, 8. Sanjeev Mandal, 9. Jitendra Mandal, 10.Ramdeo Mandal, and 11. Rajan Mandal. The prosecution has failed to prove the charges framed against the aforesaid accused persons beyond all

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reasonable doubts. In such circumstances, all the accused persons are entitled to acquittal for want of sufficient evidence.

21. Accordingly, all the aforesaid eleven trial accused persons, namely: 1. Krishnanandan Pandey, 2.Raja Pandey, 3.Pintu Pandey, 4. Kaushal Pandey, 5. Manoj Pandey, 6. Munna Pandey, 7. Ranjan Mandal, 8. Sanjeev Mandal, 9. Jitendra Mandal, 10.Ramdeo Mandal, and 11. Rajan Mandal are hereby held not guilty of the charged offence and are acquitted of the charges under Sections 147, 148, 307/149, 323/149, 341/149 and 324/149 of the Indian Penal Code .They and their bailors are discharged from the liabilities of their respective bail bonds.

The judgment, after being written, corrected and signed by me, was pronounced in open court today on 16.06.2026

Dictated & Corrected

Sd/-

(Deepak Kumar)

Principal Sessions Judge,

Sheohar

16.06.2026

Sd/-

(Deepak Kumar)

Principal Sessions Judge,

Sheohar

16.06.2026

Date of Judgment/order

16.06.2026

Date of Reserving Judgment/order

04.05.2026

Uploading Date

16.06.2026

Uploaded by

Sanjeev Kumar, (Steno)