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In the Court of Deepak Kumar, Principal Sessions Judge, Sheohar
Sessions Trial No. 91/2024
(Purnahiya P.S. Case No. 68/2022)
State V/s Sujit Sah & Others
(CNR No. BRSO01-002600-2024)

FORM-A

In the Court of Principal Sessions Judge, Sheohar, Bihar Present:- Deepak Kumar, Principal Sessions Judge, Sheohar STr No- 91/2024 Purnahiya PS. Case No. 68/2022 GR. No.- 573/2022 CNR No.- BRSO01-002600-2024 Offence:- 307/34, 323/34, 324/34, 341/34, 342/34, 337/34 &504/34 of I.P.C. (Date of Judgment:- 22.07.2026)	
COMPLAINANT/INFORMANT	Subhash Sah, son of Late Narayan Sah, resident of Ashogi Chapra Dhani, Police Station: Purnahiya, District: Sheohar.
ACCUSED PERSONS	1. Sujeet Sah, son of Late Kapildev Sah, aged about 65 years. 2.Krishna Devi, wife of Late Kapildev Sah, aged about 65 years. 3. Rajni @ Ranjan Devi, wife of Sujeet Kumar Sah, aged about 40 years. All are residents of Ashogi Chapra Dhani, Police Station: Purnahiya, District: Sheohar
REPRESENTED BY COMPLAINANT/INFORMANT	Sri Suresh Roy, Learned Public Prosecutor.
REPRESENTED BY ACCUSED PERSONS	Mr. Dheeraj Kumar, Learned Advocate. Mr. Mukesh Kumar Ranjan, Learned Advocate.

FORM-B

Date of offence	18-04-2022
Date of F.I.R.	21-04-2022
Date of Charge-sheet	C.S.-164/2022, Dated-17-09-2022
Date of Cognizance	20-12-2022
Date of Framing Charges	12-01-2024
Date of Commencement of Evidence	04-01-2025

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Date of which judgment is reserved	10-06-2026
Date of judgment	22-07-2026
Date of the Sentencing order, if any	N.A.
Date of Amalgamate to Record	N.A.

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.	Sujeet Sah	14-09-2022	14-09-2022	Under Sections- 307/34, 323/34, 324/34, 341/34 342/34 337/34 & 504/34 IPC	Acquitted		
2.	Krishna Devi	14-09-2022	14-09-2022				
3.	Rajni @ Ranjan Devi	14-09-2022	14-09-2022				

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.	Dr. Dheeraj Kumar Jha	Prosecution Evidence No.-1 (Doctor, Medical witness)
02.	Subhash Sah	Prosecution Evidence No.-2 (Hostile Witness)
03.	Phulpat Devi	Prosecution Evidence No.-3 (Hostile Witness)
04.	Malti Devi	Prosecution Evidence No.-4 (Hostile Witness)
05.	Krishna Devi	Prosecution Evidence No.-5 (Hostile Witness)
06.	Laldev Ram	Prosecution Evidence No.-6 (Investigation officer)

B. Defence Witness, if any ; -NIL

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

C. Court Witness, if any ; -NIL

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

LIST OF PROSECUTION/DEFENCE/COURTS EXHIBITS

A. PROSECUTION;-

SR. No.	EXHIBIT NUMBER	DESCRIPTION
01.	Exhibit-01	Medical Injury Report of Rekha Devi, dated 27-04-2022
02.	Exhibit-02	Computerized Formal First Information Report (FIR)
03.	Exhibit-03	Endorsement on the Fardbeyan (written statement of the informant)
04.	Exhibit-04	Complete Charge Sheet

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- 22nd July, 2026.
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State
Vrs.
Sujit Sah & Others

Charge framed under
Section- 307/34, 323/34, 324/34,
341/34, 342/34, 337/34 & 504/34 of
I.P.C.

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

Learned Lawyer for the defence:- Sri Dheeraj Kumar, Learned
Advocate.

Sri Mukesh Kumar Ranjan, Learned
Advocate.

JUDGMENT

01. In the present Sessions Trial, a total of three accused persons—(1) Sujit Sah, (2) Krishna Devi, and (3) Rajni alias Ranjan Devi—have been put on trial for offences punishable under Sections 307/34, 323/34, 324/34, and 341/34, 342/34, 337/34 & 504/34 of the Indian Penal Code.

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02. A written report was submitted by the informant, Subhash Sah, at Purnahiya Police Station. It is alleged therein that on 18.04.2022 at about 08:00 A.M., his co-villagers, namely, (1) Sujit Sah, (2) Krishna Devi, and (3) the wife of Sujit Sah came together at the door of his house and thereafter Krishna Devi started hurling filthy abuses at him. When the informant objected to such abusive language, Sujit Sah assaulted him by slaps, fists, kicks, and blows with a lathi (stick). On hearing the commotion, the informant's wife, Rekha Devi, came there to rescue him. It is further alleged that Sujit Sah, with the intention to kill her, assaulted her with a spade (kudal) which he was carrying in his hand, causing a blow on the left side of her head, as a result of which she sustained injuries and fell on the ground. The wife of Sujit Sah snatched the mangalsutra from the neck of Rekha Devi and fled away. It is also stated that there was delay in lodging the case as an attempt was made to settle the dispute through a village panchayati (community mediation), but the opposite party did not agree.

03. Upon the basis of the aforesaid written report, Purnahiya P.S. Case No. 68 of 2022, dated 21.04.2022, was registered under Sections 341, 342, 323, 379, 307 and 504 read with Section 34 of the Indian Penal Code against the accused persons named in the First

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Information Report, and investigation was taken up. Upon completion of the investigation, the Investigating Officer submitted Charge-sheet No. 164 of 2022, dated 17.09.2022, against all the three named accused persons, namely, (1) Sujit Sah, (2) Krishna Devi, and (3) Rajni @ Ranjan Devi, under Sections 341, 342, 323, 337, 324, 307 and 504 read with Section 34 of the Indian Penal Code, finding the allegations to be true. Thereafter, the learned Sub-Divisional Judicial Magistrate, Sheohar, upon perusal of the First Information Report, the charge-sheet and the case diary, and being satisfied that a prima facie case was made out against the aforesaid three accused persons under Sections 341, 342, 323, 337, 324, 307 and 504 read with Section 34 of the Indian Penal Code, took cognizance of the offences on 20.12.2022. Subsequently, by order dated 03.09.2024, the learned Magistrate directed that the records of the case be committed to the Court of the learned Sessions Judge for trial, whereupon the case records were transmitted and received by the Court of the learned Sessions Judge on 11.04.2023.

04. In the present case, charges were framed on 12.11.2024 against all the aforesaid three accused persons, namely (1) Sujit Sah, (2) Krishna Devi, and (3) Rajni alias Ranjan Devi under Sections 307/34, 323/34, 324/34, 341/34, 342/34, 337/37 & 504/34 of the Indian Penal Code

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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 13.04.2026, the statement of the above-named accused persons was recorded on 27.04.2026 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 22.07.2026.

05. Now it has to be seen whether the prosecution has been able to prove the charges leveled against accused persons (1) Sujit Sah, (2) Krishna Devi, and (3) Rajni @ Ranjan Devi beyond all reasonable doubt or not?

06. In support of its case, the prosecution examined all the six witnesses cited in Column No. 13 of the charge-sheet. The prosecution witnesses are as follows: P.W. 1 – Dr. Dheeraj Kumar Jha, the Medical Officer; P.W. 2 – Subhash Sah, the informant; P.W. 3 – Phoolpat Devi, P.W. 4 – Malti Devi, P.W. 5 – Krishna Devi and P.W. 6 – Laldeo Ram, the Investigating Officer.

07. The prosecution also adduced the following documentary

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evidence, which was marked as exhibits:

SR. No.	EXHIBIT NUMBER	DESCRIPTION
01.	Exhibit-01	Medical Injury Report of Rekha Devi, dated 27-04-2022
02.	Exhibit-02	Computerized Formal First Information Report (FIR)
03.	Exhibit-03	Endorsement on the Fardbeyan (written statement of the informant)
04.	Exhibit-04	Complete Charge Sheet

08. The defence did not adduce any oral or documentary evidence in support of its case.

09. P.W. 1 – Dr. Dheeraj Kumar Jha (Medical Witness), in his examination-in-chief, deposed on solemn affirmation that:- On 18-04-2022, he was posted as a Medical Officer at PHC, Purnahiya and on that day at about 09:15 P.M. he examined Rekha Devi, aged about-40 years, W/o- Subhash Sah, R/o Village-Ashogi, PS-Purnahiya, District-Sheohar and found following injuries on her person.

i. Cut mark over the left side of the head over frountotemporal region measuring about 4”x1/8”x1/8” caused by sharp cut weapon such as spade.

Mark of identification-Single mole over the left side of neck.

Nature of injury-Simple.

2. The injury report dated-27-04-2022 is typed/prepared on his direction on the computer set maintained at PHC, Purnahiya and

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subsequent there to the print out of the report was obtained there from by the printer kept at the hospital and the same is bearing my signature. The injury report dtd.27-04-2022 is marked as exhibit-1. From the side of prosecution.

In his cross-examination by the defence, this witness stated as follows:3. The patient was conscious and co-operative at the time of her examination.

4. He did not found any grievous injury on her person.
5. He has not mentioned the age of injury in the injury report furnished by him.
6. He did not found any injury on the vital part of the body.

10. P.W. 2 – Subhash Sah (Informant), in his examination-in-chief, deposed on solemn affirmation that he is the informant of the present case. He stated that the occurrence had taken place about three years back at about 08:00 A.M. At the relevant time, he was in his agricultural field. His daughter, Ravita Kumari, had poured water on the road, whereupon Sujit Kumar, Rajni Devi and Krishna Devi entered into an altercation with his wife and daughter. He further stated that he was also assaulted in the said occurrence. In connection with the incident, he submitted a written application to Purnahiya

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Police Station after affixing his signature thereon. He further deposed that all the three injured persons were treated at Purnahiya Hospital. He identified the accused persons present in Court.

In his cross-examination by the defence, this witness stated that he did not know the name of the person who had drafted the written application. The contents of the application had not been read over or explained to him before he signed it. He further stated that the accused persons are his grandson and daughter-in-law, and both sides belong to the same family lineage. He deposed that the dispute involved in the present case had been amicably settled between the parties, and that a compromise petition as well as a petition seeking permission had been filed after affixing his signature thereon. He further stated that the counter case had already come to an end. He identified the accused persons as they are his neighbours and relatives.

11. P.W. 3 – Phoolpat Devi, in her examination-in-chief, deposed on solemn affirmation that she had no knowledge whatsoever about the occurrence. She further stated that her statement had never been recorded by the police.

At the request of the prosecution, this witness was declared hostile.

In her cross-examination by the defence, she stated that she is a

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housewife. She further stated that Purnahiya Police Station is situated at a distance of about one kos from her house. She identified the accused persons, stating that they are her grandsons.

12. P.W. 4 – Malti Devi, in her examination-in-chief, deposed on solemn affirmation that she had no knowledge regarding the occurrence and that her statement had not been recorded by the police.

At the request of the prosecution, this witness was declared hostile.

In her cross-examination by the defence, she stated that she is a homemaker and identified the accused persons as they belong to her village.

13. P.W. 5 – Krishna Devi, in her examination-in-chief, deposed on solemn affirmation that she had no knowledge of the occurrence. She further stated that the Investigating Officer had not recorded her statement.

At the request of the prosecution, this witness was declared hostile.

In her cross-examination by the defence, she stated that she generally remains at her house. She further stated that Purnahiya Police Station is situated at a distance of about three to four kilometres

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from her residence. She identified the accused persons, stating that they are her co-villagers. She further deposed that whatever statement she had made before the Court was voluntary and made of her own free will.

14. P.W. 6 – Laldev Ram (Investigating Officer) deposed in his examination-in-chief on solemn affirmation that on 21.04.2022 that he was posted as a Sub-Inspector of Police at Purnahiya Police Station. The computerized formal First Information Report of Purnahiya P.S. Case No. 68 of 2022 was uploaded and downloaded through the computer of Purnahiya Police Station. The same had been prepared under the direction of the then Station House Officer, Munna Kumar Gupta, and bears his signature, which the witness identified. The entire formal F.I.R. was marked as Exhibit-2.

He further stated that the endorsement made on the written report submitted by the informant, Subhash Sah, was in the handwriting and signature of the then Station House Officer, Munna Kumar Gupta, which he identified. The endorsement was marked as Exhibit-3.

The witness further deposed that on 21.04.2022, he took over the investigation of the case and commenced the investigation. He made an entry of the written report in the case diary and inspected the

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place of occurrence. According to the informant and the witnesses, the place of occurrence was situated in front of the house of the informant at village Ashogi Chapra Dhani, within the jurisdiction of Purnahiya Police Station, on a pucca road. It was alleged that the occurrence had taken place on account of a dispute regarding throwing of water, during which the accused persons abused and assaulted the informant, causing injuries. The witness further deposed that he recorded the statements of witnesses Phoolkumari Devi, Malti Devi, and Krishna Devi, and incorporated the same in the case diary. After completion of the investigation, he submitted Charge-sheet No. 164 of 2022 dated 17.09.2022 against accused (1) Sujeet Sah, (2) Krishna Devi, and (3) Ranjana Devi under Sections 341, 342, 323, 337, 324, 307 and 504/34 of the Indian Penal Code. He stated that the charge-sheet was in his handwriting and bore his signature as well as the signature of the then Station House Officer, Munna Kumar Gupta, both of which he identified. The entire charge-sheet was marked as Exhibit-4.

In his cross-examination, the witness stated that after the Officer-in-Charge entrusted him with the investigation of the case, he did not inspect the place of occurrence at the very outset. He had recorded the supplementary statement of the informant. He further deposed that during the entire course of investigation, he did not

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record the statement of any independent witness. He had not prepared the sketch map of the place of occurrence. While recording the statements of witnesses during the investigation, no audio or video recording was made, nor were their mobile numbers or photographs taken. He further stated that the entry made in paragraph No. 20 of the case diary correctly records that Letter No. 776/2022 dated 30.06.2022 from the Office of the Police Inspector was received and entered in the case diary on 02.07.2022. He admitted that every page of the case diary did not bear his signature or seal, nor that of the Officer-in-Charge. He further stated that the written report mentions the date of occurrence as 18.04.2022 at about 8:00 A.M., whereas the F.I.R. was registered on 21.04.2022.

FINDINGS

15. Learned Counsel for state submitted that the informant has not disputed the fact the offence had occurred. The doctor has also found injury.

16. On the other hand, learned counsel for the defence argued that the prosecution examined six witnesses before the Court, out of whom three witnesses had been declared hostile, whereas the remaining three witnesses were the doctor, the informant, and the Investigating Officer. It was further submitted that both parties are close family

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members, the informant being the grandfather of the accused persons. It was argued that the dispute between the parties has already been amicably settled through compromise and that the connected counter case has come to an end. It was pointed out that the informant himself, examined as P.W. 2, admitted the compromise in his cross-examination. Therefore, it was submitted that the prosecution has utterly failed to establish the charges levelled against the three accused persons beyond all reasonable doubt. Accordingly, it was prayed that all the three accused persons be acquitted of the charges framed against them.

17. I have heard the submissions advanced on behalf of both sides and have perused the evidence available on the record. From the oral and documentary evidence adduced by the prosecution, it appears that the prosecution examined altogether six witnesses before the Court, namely: (1) P.W. 1 – Dr. Dhiraj Kumar Jha (Medical Officer); (2) P.W. 2 – Subhash Sah (Informant); (3) P.W. 3 – Phoolkumari Devi; (4) P.W. 4 – Malti Devi; (5) P.W. 5 – Krishna Devi; and (6) P.W. 6 – Laldev Ram (Investigating Officer). Out of these six witnesses, P.W. 3, P.W. 4, and P.W. 5 were declared hostile by the prosecution.

P.W. 1 – Dr. Dhiraj Kumar Jha (Medical Officer), in his examination-in-chief, primarily stated that he had examined and

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treated the injuries of Rekha Devi, the wife of the informant, and found all the injuries to be simple in nature. He identified his handwriting and signature on the medical injury report dated 27.04.2022, which was marked as Exhibit-1. In his cross-examination, he categorically stated that no grievous injury was found on the injured and that no injury was present on any vital part of her body.

Thus, from the testimony of the medical witness, it is evident that the injuries sustained by the injured were simple in nature and none of them was inflicted on any vital part of the body.

P.W. 2 – Subhash Sah (Informant) deposed in his examination-in-chief that the occurrence had taken place about three years prior at about 8:00 A.M. At the relevant time, he was present in his agricultural field. He stated that a dispute arose between his wife and daughter on one side and the accused persons on the other after his daughter accidentally spilled water on the road. When he reached the place of occurrence, he also became involved in the altercation. He further stated that he submitted a written report before Purnahiya Police Station, that all the three injured persons were treated at Purnahiya Hospital, and that he identified the accused persons.

In his cross-examination, however, he admitted that he did not know

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who had drafted the written report and that it had not been read over to him before obtaining his signature. He further admitted that the accused persons were his grandson and daughters-in-law and that both parties belonged to the same family. He also admitted that the matter had been amicably settled, that a compromise petition and a petition seeking permission had been filed after putting his signature thereon, that the connected counter case had already been disposed of, and that he no longer wished to pursue the present case. He further stated that he knew the accused persons because they were his relatives and neighbours. Thus, the evidence of the informant clearly indicates that the dispute was merely a quarrel arising out of spilling water on the road between members of the same family and that the dispute has since been amicably resolved.

P.W. 3 – Phoolkumari Devi, who was declared hostile by the prosecution, stated in her examination-in-chief that she had no knowledge about the occurrence and that her statement had never been recorded by the police. In her cross-examination, she merely stated that she knew the accused persons as they were her grandsons. Thus, no material fact regarding the occurrence emerges from the testimony of this hostile witness.

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P.W. 4 – Malti Devi, who was also declared hostile, similarly deposed that she had no knowledge about the occurrence and that her statement had not been recorded by the police. In her cross-examination, she stated that she knew the accused persons as they belonged to the same village. Therefore, her testimony also does not throw any light on the occurrence.

P.W. 5 – Krishna Devi, another hostile witness, likewise stated in her examination-in-chief that she had no knowledge of the occurrence and that the police had not recorded her statement. During cross-examination, she merely stated that she knew the accused persons as they belonged to the same village. Hence, her evidence is also of no assistance to the prosecution.

P.W. 6 – Laldev Ram (Investigating Officer) deposed that on 21.04.2022 he was posted as a Sub-Inspector of Police at Purnahiya Police Station. He proved the computerized formal F.I.R. of Purnahiya P.S. Case No. 68 of 2022, prepared under the directions of the then Station House Officer, Munna Kumar Gupta, and the same was marked as Exhibit-2. He also proved the endorsement made on the written report of the informant, which was marked as Exhibit-3. He stated that he took over the investigation on 21.04.2022, recorded the written report and supplementary statement of the informant in the

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case diary, inspected the place of occurrence, described its boundaries, found nothing noteworthy there, recorded the statements of witnesses Phoolkumari Devi, Malti Devi, and Krishna Devi, obtained the injury report of Rekha Devi and annexed the same to the case diary, received the supervision note and final order of the Police Inspector, Sheohar, and after completing the investigation submitted Charge-sheet No. 164 of 2022 dated 17.09.2022 against accused Sujeet Sah, Krishna Devi and Rajni @ Ranjana Devi under Sections 341, 342, 323, 337, 324, 307 and 504/34 of the Indian Penal Code. He identified his handwriting and signature on the charge-sheet as well as those of the then Station House Officer, and the charge-sheet was marked as Exhibit-4.

However, in his cross-examination, the Investigating Officer admitted that after being entrusted with the investigation, he did not initially inspect the place of occurrence. He further admitted that although he recorded the supplementary statement of the informant, he did not examine any independent witness during the investigation. He also admitted that he did not prepare a sketch map of the place of occurrence, did not make any audio or video recording while recording the statements of witnesses, and did not collect their mobile numbers or photographs. He further admitted that although Letter No.

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776/2022 dated 30.06.2022 received from the Office of the Police Inspector was entered in the case diary on 02.07.2022, every page of the case diary did not bear his signature or seal or that of the Officer-in-Charge. He also admitted that although he was present in the police station when the written report was submitted before the Officer-in-Charge, he was not personally present before the Officer-in-Charge. He further admitted that the written report mentions the date of occurrence as 18.04.2022 at about 8:00 A.M., whereas the F.I.R. was registered only on 21.04.2022, and that the intervals between different stages of investigation were not specifically mentioned in the case diary. Thus, even from the testimony of the Investigating Officer, no material fact emerges to conclusively establish that it was the accused persons who committed the alleged occurrence or that they were involved therein.

18. In view of the aforesaid facts and circumstances, the nature of the case, the evidence available on record, and upon careful appreciation of the oral and documentary evidence adduced by the prosecution, I arrive at the conclusion that there is no clear, cogent, and reliable evidence to establish that accused (1) Sujeet Sah, (2) Krishna Devi, and (3) Rajni @ Ranjana Devi committed the alleged occurrence. The prosecution has failed to prove the charges framed

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against the aforesaid accused persons beyond all reasonable doubt.
Accordingly, the three accused persons are entitled to the benefit of
doubt and deserve to be acquitted. Hence, the following order is
passed:

ORDER

19. Accordingly, accused (1) Sujeet Sah, (2) Krishna Devi, and (3)
Rajni @ Ranjana Devi are hereby acquitted of the charges under
Sections 307/34, 323/34, 324/34, 341/34, 342/34, 337/34 & 504/34 of
the Indian Penal Code. They are discharged from the liabilities of their
respective bail bonds, and their bail bonds as well as those of their
sureties stand cancelled and discharged accordingly.

The judgment, after being written, corrected and signed by me,
was pronounced in open court today on 22.07.2026

Dictated & Corrected

Sd/-
(Deepak Kumar)
Principal Sessions Judge,
Sheohar
22.07.2026

Sd/-
(Deepak Kumar)
Principal Sessions Judge,
Sheohar
22.07.2026

Date of Judgment/order	22.07.2026
Date of Reserving Judgment/order	10.06.2026
Uploading Date	22.07.2026
Uploaded by	Sanjeev Kumar, (Steno)