

Distt:- Supaul
IN THE COURT OF SESSIONS JUDGE, SUPAUL

PRESENT :- Anant Singh
 Sessions Judge, Supaul

Date of Judgment -- The 09th day of April -2026

ST-48/2024

(Arising out of Balua Bazaar PS case No.:-39 of 2021, dated-20-09-2021 under Sections 341, 323, 324, 307, 447, 498(A), 504/34 of I.P.C corresponding to GR No.-1834/2021 committed to the court of Sessions by the Ld. J.M.F.C, Supaul vide order dated-29-01-2024).

FIR NO.- BALUA BAZAAR P.S. CASE-39/2021, dt.-20-09-2021

COMPLAINANT	State through INFORMANT Shyam Narayan Paswan	
REPRESENTED BY	Shri Amar Kumar Das, Ld. Addl. PP	
ACCUSED	1.	Manoj Paswan..... Aged about 38 Years..... A-1 S/O Ram Nandan Paswan.
	Accused- A-1, R/o Village-Tulsipatti, P.S- Balua Bazaar, District- Supaul.	
REPRESENTED BY	Sri Yogendra Prasad Sah, Ld. Advocate.	

FORM-B							
➤ Date of Offence					20-09-2021		
➤ Date of FIR					20-09-2021		
➤ (i) Date of Charge Sheet					16-11-2021		
➤ (ii) Date of Charge Sheet					20-08-2023		
➤ Date of Cognizance					31-10-2023		
➤ Date of Framing of Charge					05-03-2024		
➤ Date of Commencement of Evidence					28-11-2024		
➤ Date on Which Judgment is reserved					09-04-2026		
➤ Date of the Judgment					09-04-2026		
➤ Date of the Sentencing Order, if any					Not Applicable		
ACCUSED DETAILS							
Rank of the accused	Name of the accused	Date of Arrest	Date of Release on Bail	Offences Charged with	Whether Acquitted or convicted	Sentence Imposed	Period of Detection Undergone during Trial for Purpose of Section 428 Cr.P.C

A-1	Manoj Paswan	19.07.2023	31.10.2023	341, 323,307, 447, 498(A), 504, 324 read with Section 34 of I.P.C vide order dated- 05.03.2024	Acquitted	N/A	N/A
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J U D G M E N T

1. In the above noted case sole accused was charged and facing the trial for the offence punishable under Sections 341, 323, 307,447, 498(A), 504, 324 read with Section 34 of I.P.C vide order dated-05.03.2024.

2. In brief, the prosecution story is that on dated-20.09.2021, a written application was given by the informant namely, Shyam Naryan Paswan to the police of Balua Bazar Police Station and stating therein that the marriage of his daughter Sobha Devi solemnized with Shravan Paswan about two months ago as per the Hindu Rites & Customs. But after some time of the said marriage his son-in-law Shravan Paswan started torturing his daughter and thrown out from her matrimonial home. And after knowing this facts from his daughter, the informant suggested his daughter not to visit her matrimonial home. The informant further stated that on 19.09.2021, his son-in-law has abused him on mobile phone. He further stated that on 20.09.2021 at about 01:30 PM, his son-in-law Shravan Paswan, Satya Nanarayan Paswan, Manoj Paswan, Shyam Paswan, Ghanshayam Paswan and Ravi Shankar Paswan along with 6-7 other unknown persons came at his house with deadly weapons and started assaulting the informant. He further stated that in the said quarrel Shiv Kumar Paswan sustained injuries. The villagers have overpowered the three accused persons and handed over to the police and also the four wheeler bearing Registration No. BR-11Z-2020 and two motorcycles were also handed over to the police.

On the basis of the above said written application of the informant, police of Balua Bazar Police Station registered a case under Sections 341, 323, 324, 307, 447, 498(A), 504 read with Section 34 of I.P.C bearing P.S Case no.-39/21 against the accused.

On the basis of the above said written application, Balua Bazar Police Station registered a case under Sections 341, 323, 324, 307, 447, 498(A), 504/34 of I.P.C bearing P.S Case no.39/2021. This is the split-up record of earlier/parent ST No.-343/2021 which was decided by this court on 14-03-2022.

After completion of the investigation police has submitted the charge-sheet against the accused on 16.09.2023. Accordingly, Ld. J.M.F.C, Supaul has taken cognizance against the accused Manoj Paswan under Sections 341, 323, 324, 307, 447, 498(A), 504/34 IPC vide order dated-20.09.2022. The police paper was supplied

to the accused.

The offence under Section 307 of I.P.C is exclusively triable by the court of Sessions and, hence, the record was committed to this court by the Ld. J.M.F.C, Supaul vide order dated-29.01.2024 for trial and disposal to this court.

3. After completion of the prosecution evidence, the statement of the accused has recorded under Section 313 of Cr.P.C on 09.04.2026 and all the incriminating questions put to him which he denied and pleaded innocence.

FINDINGS

4. In order to prove the case the prosecution has examined two witnesses namely:-

S.No.	NAME OF THE WITNESSES	EVIDENCE
1.	Sobha Kumari	P.W.-1
2.	Shyam Narayan Paswan @ Shyamanand Paswan	P.W.-2

5. The prosecution has also produced documentary evidences on the record, that signature of informant namely, Shyam Narayan Paswan on the written application, which is exhibited as **Exhibit-1** and signature of Shyam Narayan Paswan on the seizure list, which is exhibited as **Exhibit-2**.

6. The first prosecution witness namely, Sobha Kumari, examined as P.W.-01, in his examination-in-chief, she deposed that her marriage was solemnized with Shravan Kumar about 1 and half months ago from the date of the incident. She further deposed that Shravan Kumar, Manoj, Satyanarayn, Ravi Shankar, Shanshayam and Shyam had assaulted her at her matrimonial home. She further deposed that the accused persons also assaulted her brother Shiv Kumar Paswan. The witness correctly identified the accused present in the court.

In her cross-examination, conducted by the Id. defence counsel, she further deposed that no any complaint against her family members of the matrimonial home and there were several persons present at the place of occurrence and he has not identified which accused persons assaulted her and her brother.

7. The second prosecution witness namely, Shyam Narayan Paswan @ Shyma Nand Paswan examined as P.W.-02, in his examination-in-chief, he deposed that he had filed this criminal case against the accused Satyanarayan Paswan, Shravan Paswan, Ghanshayam Paswan, Manoj Paswan, Shayam Paswan & Ravi Shankar Paswan. He further deposed that he has given written application to the police which also bears his signature. The witness correctly identified his signature and the same is exhibited as **Exhibit-1**. In Para No.3, he further deposed that Sobha Kumari is his daughter and her marriage was solemnized with Sharvan Kumar about two months ago from the date of the incident. He further stated that after the marriage of her

daughter she had gone to the matrimonial home where her family members had tortured her and in the said quarrel her nephew Shiv Kumar Paswan also sustained injuries and he was taken treatment at Virat Nagar. He further deposed that the accused persons came at his house by four wheeler and also on motorcycle and assaulted him. And thereafter, the police had taken into possession the four wheeler car and a motorcycle and the seizure list was also prepared and in this regard which also bears his signature and the same is exhibited as **Exhibit-2**.

In his cross-examination, conducted by the Id. defence counsel, he further deposed that Shiv Kumar Paswan was taken treatment at Virat Nagar but he has not seen from where Shiv Kumar Paswan sustained injury on his head. The witness further deposed that the compromised has been arose between the parties and he has no grievance against the accused persons. He further deposed that the accused persons have not demanded any dowry from him.

8. Argument heard from both sides and perused the record. In this case, the prosecution has examined altogether two witnesses including informant namely, Shyamanand Paswan as P.W-02. On the basis of his statement, this case was registered against the accused. The informant as well as the victim has specifically deposed that the matter has amicably compromised between the parties. Basically, this is a matrimonial dispute and this accused is the cousin brother of Shravan Paswan who is the husband of the victim.

In this case, since the informant and the victim have not supported the prosecution case. Accordingly, this court has no other alternative but to acquit the accused from all charges framed against him.

CONCLUSION

Hence, the prosecution has miserably failed to prove the charges levelled against the accused Manoj Paswan has not found and not held guilty for the offence punishable under Sections 341, 323, 307, 447, 498(A), 504, 324 read with Section 34 of I.P.C. Accordingly, he is **“Acquitted”** from the same. The accused is in Judicial custody, o/c is directed to issue release order and Jail Superintendent is directed to release him at once, if he is not wanted in any other case.

The Judgment signed, dated, sealed and pronounced by me in the open court today.
File be consigned to record room after due formalities.

Dictated & Corrected by me.

Sd/-
(Anant Singh)
Sessions Judge, Supaul
Dated:-09.04.2026

sd/-
(Anant Singh)
Sessions Judge, Supaul
Dated:-09.04.2026