

Distt:- Supaul

IN THE COURT OF SESSIONS JUDGE, SUPAUL

PRESENT :- Anant Singh
Sessions Judge, Supaul

Date of Judgment -- The 16th day of MAY-2026

ST-173/2023

(Arising out of Supaul PS case No.:-1076 of 2022, dated-17-11-2022 under Sections 341, 323, 354(B), 307 of I.P.C corresponding to GR No.-2700/2022 committed to the court of Sessions by Sri. Mithilesh Kumar, Ld. J.M-1st Class, Supaul vide order dated-24-04-2023).

FIR NO.-SUPAUL P.S. CASE No.-1076/2022, dt.-17-11-2022
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INFORMANT/ COMPLAINANT	State through INFORMANT REKHA DEVI	
REPRESENTED BY	Sri Rajesh Kumar Singh, Ld. Addl. PP	
ACCUSED	1.	Raja Kumar Bharti.....Aged about 30 Years.....A-1 S/o Late Ganpat Kamat.
	Accused-A-1, R/o Village- Supaul, Ward No.-11, P.S- Supaul, District- Supaul.	
REPRESENTED BY	Sri Sanjay Kumar Singh, Ld. Advocate. Sri Jawahar Jha, Ld. Advocate.	

FORM-B	
➤ Date of Offence	17-11-2022
➤ Date of FIR	17-11-2022
➤ Date of Charge Sheet	12-01-2023
➤ Date of Cognizance	20-01-2023
➤ Date of Framing of Charge	12-05-2023
➤ Date of Commencement of Evidence	17-07-2023
➤ Date on Which Judgment is reserved	16-05-2026
➤ Date of the Judgment	16-05-2026
➤ 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	Raja Kumar Bharti	18-11-2022	23-02-2023	341, 323, 307, 354(B) of I.P.C vide order dt.-12-05-2023	Acquitted	N/A	N/A

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, 354(B) of I.P.C vide order dt.-12-05-2023.

2. In brief, the prosecution story is that on dated-17-11-2022, a written application was given by the informant namely, Rekha Devi to the police of Supaul Police Station, and stating therein that on dated 17-11-2022 at about 06:00 PM, she was at her house and accused Raja Kmar Bharti entered into her house and caught hold the informant and also started misbehaving her. When the informant tried to raised alarm, then accused also pressed her mouth and torn her clothes. The accused also assaulted the informant by kick and fists and also assaulted her by iron-rod on her head and she became unconscious and, thereafter, the injured was taken to hospital.

On the basis of the above said written application of the informant, police of Supaul Police Station registered a case under Sections 341, 323, 354(B), 307 of I.P.C bearing P.S Case no.-1076/2022 against the accused.

After completion of the investigation police has submitted the charge-sheet against the accused on 19-01-2023. Accordingly, Ld. C.J.M, Supaul has taken cognizance against the accused namely, Raja Kumar Bharti, under Sections 341, 323, 354(B), 307 of I.P.C vide order dated-20-01-2023. The police paper was supplied to the accused.

The offence of 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 Sri.

Mithilesh Kumar, Ld. J.M-1st Class, Supaul vide order dated-24-04-2023 for trial and disposal to this court.

3. After completion of the prosecution evidence, the statement of the accused has been recorded under Section 313 of Cr.P.C on 28-04-2026 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.	Most. Laxmi Devi	P.W.-1
2.	Rekha Devi (Informant)	P.W.-2

5. The defence has not adduced either any oral or documentary evidences in support of his defence.

6. The first prosecution witness namely, Most. Laxmi Devi examined as P.W.-01, in her examination-in-chief, she deposed in one sentence that she has no knowledge about the commission of the crime. Police has not recorded her statement. Though, she identified the accused present in the court. The witness has been declared hostile and nothing new has been elicited in the detailed cross-examination conducted by the Ld. A.P.P.

7. The second and last prosecution witness namely, Rekha Devi, who is the informant of this case, examined as P.W.-02, in her examination-in-chief, she also deposed in same line that she has no knowledge about the commission of the crime. Police has not recorded her statement. Though, she identified the accused present in the court. The witness has also been declared hostile and nothing new has been elicited in the detailed cross-examination conducted by the Ld. A.P.P.

8. Argument heard from both sides and perused the record. In this case, the prosecution has examined altogether two witnesses. The most material witness is P.W-02 Rekha Devi/Informant, who has not supported the prosecution case and specifically deposed in one sentence that she has no knowledge about the commission of the crime and police has not recorded her statement. Similarly, P.W.-01 also not supported the prosecution case and not whispered any word against the accused and completely declared hostile.

Since, the material witness has not supported the prosecution case and, hence, there is no need to examine any other witnesses i.e. I.O and Doctor.

Therefore, the evidence produced by the prosecution there is no any **iota** of **evidence** against the accused. Accordingly, this court has no other alternative but to acquit the accused.

CONCLUSION

Hence, the prosecution has miserably failed to prove the charges levelled against the accused namely, Raja Kumar Bharti has not found and not held guilty for the offence charged against him. Therefore, the accused is **“Acquitted”** for the offence punishable under Sections 341, 323, 307, 354(B) of I.P.C. The accused is on bail and his bail bond are cancelled and his respective bailors are discharged.

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:-16-05-2026

Sd/-
(Anant Singh)
Sessions Judge, Supaul
Dated:-16-05-2026

Date of Judgment:-	16-05-2026
Date of Reserving Judgment:-	16-05-2026
Uploading Date:-	26-05-2026
Uploaded by:-	Nitish Kumar, DEO