

Distt:- Supaul

IN THE COURT OF SESSIONS JUDGE, SUPAUL

PRESENT :- Anant Singh
Sessions Judge, Supaul

Date of Judgment -- The 19th day of MAY-2026

ST-170/2022

(Arising out of Kunauli PS case No.: 06 of 2020, dated-14-01-2020 under Sections 489(B), 489(C), 419 & 420 of I.P.C corresponding to GR No.-28/2020 committed to the court of Sessions by Sri B. Bhushan, Ld. J.M-1st Class, Birpur vide order dated-05-04-2022).

FIR NO.- KUNAU LI P.S. CASE-06/2020, Dated.-14-01-2020		
COMPLAINANT	State through INFORMANT Vivek Kumar (Assistant Commandant 45 th Battalion SSB, Kunauli)	
REPRESENTED BY	Sri Rajesh Kumar Singh, Ld. Addl. PP.	
ACCUSED	1.	Ramanand Yadav..... Aged about 45 years..... A-1 S/O Late Bechu Yadav
	Accused- A-1, R/o Village- Bathnaha, P.S-Kunauli, District-Supaul.	
REPRESENTED BY	Sri Nagendra Narayan Thakur, Ld. Advocate. Dr. Poonam Thakur, Ld. Advocate.	

FORM-B							
➤ Date of Offence				14-01-2020			
➤ Date of FIR				14-01-2020			
➤ (i) Date of Charge Sheet				11-03-2020			
➤ (ii) Date of Charge Sheet				30-06-2021			
➤ Date of Cognizance				28-09-2021			
➤ Date of Framing of Charge				06-08-2022			
➤ Date of Commencement of Evidence				10-09-2024			
➤ Date on Which Judgment is reserved				18-05-2026			
➤ Date of the Judgment				19-05-2026			
➤ 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	Ramanand Yadav	15-01-2020	17-03-2020	469(B) & 489(C) of I.P.C vide order dated-06-08-2022.	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 489(B) & 489(C) of I.P.C vide order dated-06-08-2022.

2. In brief, the prosecution case, as per the written application of the informant namely, Vivek Kumar (Assistant Commandant 45th Battalion SSB, Kunauli) to the police of Police Station Kunauli and stating therein that today i.e. on 14-01-2020, he along with head constable Upendra Kumar Panday, head constable Sudeep Kumar Mishra, head constable Raman Kumar Raman and head constable Sharad Kumar Dadhich, all were posted at Indo-Nepal border near check-post no.2 and received the secret information that there was the arrival of fake currency note in huge quantity from Nepal and at about 03:30 PM, on a pulsar motorcycle bearing registration no.BR50D-6623, a person wearing black colour jacket, coming from Nepal-side and entering into India. He was intercepted by the police party and duly interrogated. He disclosed his name as Ramanand Yadav, S/o Bechu Yadav. He was duly searched from his pocket fifteen fake currency notes of Rs.500/- of denomination was recovered. Besides, this one Rs.100/- Indian currency note, one Nepali Rs.100/- rupees currency note was recovered. On verification, the police team found that all fifteen, Rs.500/- currency notes are fake/forged. Thereafter, the seizure list was prepared and recovered currency notes as well as pulsar motorcycle was taken into custody by the police and on the self-statement of head constable Upendra Kumar Pandey SSB, this FIR was registered.

On the basis of the above said written application of the informant, police of Kunauli Police Station registered a case under Sections 489(B)(C), 419 & 420 of I.P.C bearing P.S Case no.-06/2020 against the accused.

After completion of the investigation police has submitted the two charge-sheet against the accused on 12-03-2020 & 06-08-2021 respectively. Accordingly, Ld. J.M-1st Class, Birpur has taken cognizance against the accused namely, Ramanand Yadav, under Sections 489(B), 489(C), 419 & 420 of I.P.C vide order dated-28-09-2021. The police paper was supplied to the accused.

The offence of under Sections 489(B) & 489(C) of I.P.C is exclusively triable by the court of Sessions and, hence, the record was committed to this court by Sri. B. Bhushan Ld. J.M-1st Class, Birpur vide order dated-05-04-2022 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 18-05-2026 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 four witnesses namely:-

S.No.	NAME OF THE WITNESSES	EVIDENCE
1.	Tribhuban Pandit	P.W.-1
2.	Vivek Kumar	P.W.-2
3.	Birendra Das	P.W.-3
4.	Dhanraj Das	P.W.-4

5. The prosecution has also produced documentary evidences on the record, that the signature of Tribhuban Pandit on seizure list is exhibited as **Exhibit-01**, Signature of Tribhuban Pandit on performa of apperhension is exhibited as **Exhibit-1/1**, written report is exhibited as **Exhibit-02**, Signature on seizure list is exhibited as **Exhibit-1/2** and self statement of Ramanand Yadav on the self-statement is exhibited as **Exhibit-03**.

6. The first and last prosecution witness namely, Tribhuban Pandit, examined as P.W.-01, in his examination-in-chief, he deposed that this incident was occurred about 04 years ago. In para no.2, he further deposed that accused Ramanand Yadav was interrogated by the SSB team and the document was prepared by the said team and he put his signature on the same. The witness correctly identified the signature and the same is exhibited as **Exhibit-1 & 01/01** respectively. He further deposed that police has not inquired from him. The witness correctly identified the accused Ramanand Yadav 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 prosecution witness namely, Vivek Kumar, examined as P.W.-02, in his examination-in-chief, he deposed that on 14.01.2022 he was posted as Company Commandant in a 45th Battalion SSB at Kunauli. He further deposed that at about 01:30 PM, he was at his office and Upendra Kumar Panday, Raman Kumar Raman, Sharad Kumar, Sudeep Kumar Mishra were posted at check-post. In Para No.3, he further deposed that the SSB team received the secret information regarding the arrival of fake currency notes into India and thereby the SSB team started the checking of the vehicle as well as passers-by. In para no.4, he further deposed that one person wearing black colour jacket driving on a red colour pulsar motorcycle bearing registration no.BR50D-6623 coming from Nepal-side and entering into India was apprehended by Upendra Kumar Panday, he was duly searched and from his

possession three Rs.500/- denomination fake currency note was recovered and the last number of these currency notes are 313, and six currency notes having a last number was 314. Thereafter, the apprehended accused was duly interrogated and he specifically stated to the SSB team that one person namely Jha, resident of Nepal has handed over these currency notes to him. These currency notes were duly verified and put in an envelope and duly sealed. He further deposed that thereafter he prepared the written statement and after going through the same he put his signature and the same is exhibited as **Exhibit-2**. The computerized seizure list was also prepared and he also put his signature on the same which is exhibited as **Exhibit-1/2**. He also deposed that he also put his signature on performa application. In para no.8, he further deposed that he also recorded the disclosure statement of accused Ramanand Yadav and he also put his signature and the same is exhibited as **Exhibit-3**. The witness correctly identified the accused Ramanand Yadav present in the court.

In his cross-examination, conducted by the Id. defence counsel, he further deposed that the accused was apprehended twenty meters inside the border in India side and there was a open space in both sides and at that time four other SSB personnel were present there. In para no.11, he further deposed that accused Upendra Kumar Panday has caught hold the accused and the forged currency note was recovered by him. He further deposed that the accused was apprehended about one meter from the check-post. He further deposed that the recovered currency note and accused was not produced before him. In para no.15, he further deposed that he received the secret information on a walkie-talkie at about 03:32 PM, at that time he was at his office. In para no.16, he further deposed that the accused Upendra Kumar Panday and the cash was not brought before him, however, he himself reached at check-post where the recovered forged currency note was produced before him in an envelope over which he put his signature and the police of PS Kunauli was reached there at 03:54 PM, and the recovered currency note as well as the accused handed over to him. The witness denied the suggestion that no fake currency notes were recovered from the accused and he was falsely implicated to this case.

8. The third prosecution witness namely, Birendra Das, examined as P.W.-03, in his examination-in-chief, he deposed in one sentence that he has no knowledge about the commission of the crime. Police has not recorded his statement. Though, he 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 Id. A.P.P.

9. The fourth and last prosecution witness namely, Dhanraj Das, examined as P.W.-04, in his examination-in-chief, he also deposed in same line that he has no knowledge about the commission of the crime. Police has not recorded his statement. Though, he 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.

10. Argument heard from both sides and perused the record. In this case, the prosecution has examined total four witnesses. And PW-03 and PW-04 are declared hostile. Similarly, PW-01 has also not supported the prosecution case. Only PW-02 Vivek Kumar has supported the prosecution case and on his statement the FIR was registered. In this case, the FIR was registered on 14.01.2020 and charged against the accused was framed on 06.08.2022. The prosecution has cited altogether nine witnesses and summon to the witness was issued on 16.07.2024. Thereafter, receiving the service report NBW against the witnesses was issued on 05.08.2025. Thereafter, the record was seen to PP on 20.01.2026. But no other witnesses have appeared before this court to depose.

Since, the material witness has not appeared before this court and the witnesses who appeared before this court has not supported the prosecution case. Hence, considering the facts and materials available on the record, I find and hold that, the prosecution has failed to prove the charges levelled 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, Ramanand Yadav has not found and not held guilty for the offence charged against him. Therefore, accused is **“Acquitted”** for the offence punishable under Sections 489(B) & 489(C) of I.P.C. This accused is on bail and his bail bond is 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:-19-05-2026

Sd/-
(Anant Singh)
Sessions Judge, Supaul
Dated:-19-05-2026

Date of Judgment:-	19-05-2026
Date of Reserving Judgment:-	18-05-2026
Uploading Date:-	26-05-2026
Uploaded by:-	Nitish Kumar, DEO