

Distt:- Supaul

**IN THE COURT OF SESSIONS JUDGE, SUPAUL**

**PRESENT :- Anant Singh  
Sessions Judge, Supaul**

**Date of Judgment -- The 9<sup>th</sup> day of APRIL-2026**

**ST-260/2023**

(Arising out of Karjain PS Case No.: 36 of 2020, dated-22-04-2020 under Sections 147, 149, 341, 323, 307, 354(B), 504, 506, 379 of I.P.C corresponding to GR No.-257/2020 committed to the court of Sessions by Sri. Sachin Kumar, Ld. J.M- 1<sup>st</sup> Class, Birpur vide order dated-25.05.2023).

FIR NO.- KARJAIN P.S. CASE No.-36/2020, dt.-22-04-2020	
COMPLAINANT	State through <b>INFORMANT</b> Gulab Paswan
REPRESENTED BY	Sri Amar Kumar Das, Ld. Addl. PP
ACCUSED PERSONS	<b>1. Ram Bilash Rajak.....Aged about 63 Years.....A-1</b> S/O Late Kattar Rajak.
	<b>2. Sanjay Rajak.....Aged about 38 Years.....A-2</b> S/O Late Matar Rajak.
	<b>3. Chottu Rajak.....Aged about 36 Years.....A-3</b> S/O Late Matar Rajak.
	<b>4. Ajay Rajak.....Aged about 36 Years.....A-4</b> S/O Ram Bilash Rajak.
	<b>5. Vijay Rajak.....Aged about 38 Years.....A-5</b> S/O Ram Bilash Rajak.
	<b>6. Krishna Mohan Rajak...Aged about 26 Years.....A-6</b> S/O Late Kailash Rajak.
	<b>7. Rahul Rajak.....Aged about 28 Years.....A-7</b> S/O Late Umesh Rajak.
	Accused Persons-A-1 & A-7, All are R/o Village-Berdah, Word No. 04, P.S-Karjain, District- Supaul.
REPRESENTED BY	Sri Madan Kumar Choudhary, Ld. Advocate.

FORM-B	
➤ Date of Offence	20-04-2020
➤ Date of FIR	22-04-2020
➤ Date of Charge Sheet	26-01-2021
➤ Date of Cognizance	24-03-2021
➤ Date of Framing of Charge	25-07-2023
➤ Date of Commencement of Evidence	21-02-2026
➤ 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	<b>Ram Bilash Rajak</b>	Surrender on 28-11-2020	28-11-2020	147, 148 & 341,323, 307, 354(A), 504, 506 of I.P.C read with Section 149 of I.P.C vide order dated- 25.07.2023	Acquitted	N/A	N/A
A-2	<b>Sanjay Rajak</b>	28-11-2020	06-02-2021	147, 148 & 341,323, 307, 354(A), 504, 506 of I.P.C read with Section 149 of I.P.C vide order dated- 25.07.2023	Acquitted	N/A	N/A
A-3	<b>Chottu Rajak</b>	Surrender on 28-11-2020	28-11-2020	147, 148 & 341,323, 307, 354(A), 504, 506 of I.P.C read with Section 149 of I.P.C vide order dated- 25.07.2023	Acquitted	N/A	N/A
A-4	<b>Ajay Rajak</b>	Surrender on 28-11-2020	28-11-2022	147, 148 & 341,323, 307, 354(A), 504, 506 of I.P.C read with Section 149 of I.P.C vide order dated- 25.07.2023	Acquitted	N/A	N/A
A-5	<b>Vijay Rajak</b>	28-11-2020	06-02-2021	147, 148 & 341,323, 307, 354(A), 504, 506 of I.P.C read with Section 149 of I.P.C vide order dated- 25.07.2023	Acquitted	N/A	N/A

<b>A-6</b>	<b>Krishna Mohan Rajak</b>	Surrender on 28-11-2020	28-11-2020	147, 148 & 341,323, 307, 354(A), 504, 506 of I.P.C read with Section 149 of I.P.C vide order dated- 25.07.2023	Acquitted	N/A	N/A
<b>A-7</b>	<b>Rahul Rajak</b>	Surrender on 28-11-2020	28-11-2020	147, 148 & 341,323, 307, 354(A), 504, 506 of I.P.C read with Section 149 of I.P.C vide order dated- 25.07.2023	Acquitted	N/A	N/A

### **J U D G M E N T**

**1.** In the above noted case altogether seven accused persons were charged and facing the trial for the offence punishable under Sections 147, 148 & 341,323, 307, 354(A), 504, 506 of I.P.C read with Section 149 of I.P.C vide order dated-25.07.2023

**2.** In brief, the prosecution story is that on dated-22-04-2020 a written application was given by the informant namely, Gulab Paswan, S/o Bechan Paswan to the police of Karjain Police Station and stating therein that on dated-20.04.2020 at about 06:00 PM, the informant was working in his vegetable field situated near the canal. In the meantime, goats entered were into his field and destroyed the vegetable. When the son of the informant namely, Amit Paswan objected, then accused Rambilash Rajak along with Sanjay Rajak, Chhotu Rajak, Ajay Rajak, Vijay Rajak, Krishna Mohan Rajak and Rahul Rajak gathered at grocery/kirana shop of the informant and started abusing him. When the informant objected, then accused persons started quarreling with him, and the customers present at the shop also tried to pacify the dispute. Thereafter, at about 08:00 PM, all the accused persons gathered near the house of the informant along with Soni Devi and Sangita Devi having the farsa, bhala, iron-rod and other weapons, and assaulted the father of the informant on his head. Thereafter, his father sustained injury and blood was started oozing. The informant further stated that accused Vijay Rajak also assaulted him by sword. When the *bhabhi* of the informant namely, Rambha Devi arrived there, then all accused persons also assaulted her and torn her clothes. The informant further stated that accused Rambilash Rajak assaulted him by iron-rod and also snatched a silver chain and other jewellery. The informant further stated that all the accused persons threatened him. Thereafter, the informant gone to the police station and given the written application to the police.

On the basis of the above said written application of the informant, police of Karjain Police Station registered a case under Sections 147, 149, 341, 323, 307, 354(B), 504, 506, 379 of I.P.C bearing P.S Case no.-36/2020 against the accused persons.

After completion of the investigation police has submitted the charge-sheet against the accused persons on 01-02-2021. Accordingly, Ld. J.M-1<sup>st</sup> Class, Birpur has taken cognizance against the accused persons namely, 1. Ramvilash Rajaj, 2. Sanjay Rajak, 3. Chotu Rajak, 4. Ajay Rajak, 5. Vijay Rajak, 6. Krishna Mohan Rajak, and 7. Rahul Rajak, under Sections 147, 148, 149, 341, 323, 307, 354(A), 504, 506 of I.P.C vide order dated-24-03-2021. The police paper was supplied to the accused persons.

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 Sachin Kumar Ld. J.M-1<sup>st</sup> Class, Birpur vide order dated-25-05-2023 for trial and disposal to this court.

3. After completion of the prosecution evidence, the statement of the accused persons have been recorded under Section 313 of Cr.P.C on 07-04-2026 and all the incriminating questions put to them which they denied and pleaded innocence.

#### **FINDINGS**

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

<b>S.No.</b>	<b>NAME OF THE WITNESSES</b>	<b>EVIDENCE</b>
1.	Bechan Paswan	P.W.-1
2.	Rambha Devi	P.W.-2
3.	Gulab Paswan/Informant	P.W.-3

5. The prosecution has also produced documentary evidences on the record, that the signature of the informant namely, Gulab Paswan on the written application which is exhibited as **Exhibit-01**.

6. The first prosecution witness namely, Bechan Paswan examined as P.W.-01, 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 persons present in the court and 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, Rambha Devi examined as P.W.-02. in her examination-in-chief, she 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 persons present in the court and 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. The third prosecution witness namely, Gulab Paswan/Informant examined as P.W.-01, in his examination-in-chief, he deposed that he has filed this criminal case against eleven accused persons namely, Chhotu Rajak, Bilash Rajak, Ajay Rajak, Vijay Rajak, Rahul Rajak and Sanjay Rajak etc. He further deposed that this incident was occurred about six years ago at about 08:00 PM. In para no.3, he also deposed that due to grazing of the goats a quarrel took place and on that scuffle his father was sustained injury. He also deposed that his *bhabhi* Rambha Devi also sustained injury. He also deposed that there were several persons present at the place of occurrence and he has not seen the accused persons who assaulted him and his *bhabhi*. The witness further deposed that he has given the written application to the police and after going through the same he put his signature and the witness correctly identified the signature and the same is exhibited as **Exhibit-01**. The witness correctly identified the accused persons present in the court.

In his cross-examination conducted by Id. defence counsel, he further deposed that accused persons also filed the criminal case against him on the same day. He further deposed that he has compromised the matter with accused persons and there were several persons present at the place of occurrence and he fell down on the ground and sustained injury.

9. Argument heard from both sides and perused the record. In this case, the prosecution has examined altogether three witnesses. The most material witness is P.W-03 Gulab Paswan, who has not supported the prosecution case and specifically deposed that he has compromised the matter with accused persons. He also deposed that he fell down on the ground and sustained injury. Similarly, P.W.-01 & P.W-02 have also not supported the prosecution case and not whispered any word against the accused persons 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 persons. Accordingly, this court has no other alternative but to acquit the accused persons.

### **CONCLUSION**

Hence, the prosecution has miserably failed to prove the charges levelled against the accused persons namely, Ram Bilash Rajak, Sanjay Rajak, Chottu Rajak, Ajay Rajak, Vijay Rajak, Krishna Mohan Rajak and Rahul Rajak have not

found and not held guilty for the offence charged against them. Therefore, the accused persons are **“Acquitted”** for the offence punishable under Sections 147, 148 & 341, 323, 307, 354(A), 504, 506 of I.P.C read with Section 149 of I.P.C. The accused persons are on bail and their bail bonds are cancelled and their 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:-09-04-2026

Sd/-  
(Anant Singh)  
Sessions Judge, Supaul  
Dated:-09-04-2026

Date of Judgment:-	09-04-2026
Date of Reserving Judgment:-	09-04-2026
Uploading Date:-	10-04-2026
Uploaded by:-	Rahul Raj