

1.  
IN THE COURT OF Md. GHEYASUDDIN DISTRICT &  
ADDITIONAL SESSIONS JUDGE-II  
Vaishali at Hajipur  
S.Tr no.-434/2018  
Patepur PS Case no.-69/2015

|                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| IN THE COURT OF DISTRICT & ADDITIONAL SESSIONS JUDGE-II<br>Vaishali at Hajipur<br>Present Md. Gheyasuddin, District & Additional Sessions Judge-II<br>Date of Judgment:-07.05.2026<br>S.Tr No.:- 434/2018<br>Case No.- <u>Patepur PS Case no.-69/2015</u> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| REPRESENTED BY                                                                                                                                                                                                                                            | Sri Ram Nath Mahto, A.P.P.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| ACCUSED                                                                                                                                                                                                                                                   | 1. Rajendra Rai, Son of Late Bhagaren Rai,<br>2. Ram Babu Rai, Son of Late Jaddu Rai,<br>3. Dewan Rai, Son of Bhageran Rai,<br>4. Ram Bharosh Rai, Son of Late Maudhari Rai,<br>5. Bishundev Rai, Son of Chaudhary Rai,<br>6. Arun Kumar, Son of Shree Ram Bharosh Rai,<br>7. Manbodh Rai @ Ramodh Kumar, Son of Shree Dewan Rai<br>8. Pramod Rai, Son of Shree Dewan Rai,<br>9. Nilu Devi, Son of Shree Rambabu Rai,<br>10. Bindu Devi, Wife of Dewan Rai,<br>11. Chandul Devi, Wife of Ram Bharosh Rai,<br>12. Manju Devi, Wife of Rampukar Rai,<br>13. Ram Pukar Rai, Son of Late Yadu Rai,<br>All are R/o Village- Mahiya Malpur, PS-Patepur, Dist- Vaishali, |
| REPRESENTED BY                                                                                                                                                                                                                                            | Shree Sanjay Kumar Yadav,<br>Learned Advocate                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

|                                    |                                        |
|------------------------------------|----------------------------------------|
| Date of Offence                    | 14.05.2015                             |
| Date of FIR                        | 14.05.2015                             |
| Date of Charge-sheet               | CS No.- 153/2015,<br>dated- 25.09.2015 |
| Date of Framing of Charges         | 29.11.2024                             |
| Date of Commencement of evidence   | 03.12.2024                             |
| Date on which judgment is reserved | 06.05.2026                             |
| Date of the Judgment               | 07.05.2026                             |

2.  
IN THE COURT OF Md. GHEYASUDDIN DISTRICT &  
ADDITIONAL SESSIONS JUDGE-II  
Vaishali at Hajipur  
S.Tr no.-434/2018  
Patepur PS Case no.-69/2015

|                                      |  |
|--------------------------------------|--|
| Date of the Sentencing Order, if any |  |
|--------------------------------------|--|

Accused Details:

|                                                                                |                                                   |
|--------------------------------------------------------------------------------|---------------------------------------------------|
| Rank of the Accused                                                            | A-1                                               |
| Name of Accused                                                                | Rajendra Rai                                      |
| Date of Surrender/Arrest                                                       | 15.05.2015                                        |
| Date of Release on Bail                                                        | 23.06.2015                                        |
| Offences Charged with                                                          | u/s 147, 148/149, 323, 435, 308, 447, 504 of IPC. |
| Whether Acquitted or convicted                                                 | Acquitted                                         |
| Sentence Imposed                                                               |                                                   |
| Period of Detention Undergone during Trial for purpose of section 428, Cr.P.C. | 1 month 8 days                                    |

Accused Details:

|                                                                                |                                                   |
|--------------------------------------------------------------------------------|---------------------------------------------------|
| Rank of the Accused                                                            | A-2                                               |
| Name of Accused                                                                | Ram Babu Rai                                      |
| Date of Surrender/Arrest                                                       | 28.07.2015                                        |
| Date of Release on Bail                                                        | 28.07.2015                                        |
| Offences Charged with                                                          | u/s 147, 148/149, 323, 435, 308, 447, 504 of IPC. |
| Whether Acquitted or convicted                                                 | Acquitted                                         |
| Sentence Imposed                                                               |                                                   |
| Period of Detention Undergone during Trial for purpose of section 428, Cr.P.C. | Nil                                               |

Accused Details:

|                                                                                |                                                   |
|--------------------------------------------------------------------------------|---------------------------------------------------|
| Rank of the Accused                                                            | A-3                                               |
| Name of Accused                                                                | Dewan Rai                                         |
| Date of Surrender/Arrest                                                       | 28.07.2015                                        |
| Date of Release on Bail                                                        | 28.07.2015                                        |
| Offences Charged with                                                          | u/s 147, 148/149, 323, 435, 308, 447, 504 of IPC. |
| Whether Acquitted or convicted                                                 | Acquitted                                         |
| Sentence Imposed                                                               |                                                   |
| Period of Detention Undergone during Trial for purpose of section 428, Cr.P.C. | Nil                                               |

Accused Details:

|                                |                                                   |
|--------------------------------|---------------------------------------------------|
| Rank of the Accused            | A-4                                               |
| Name of Accused                | Ram Bharosh Rai                                   |
| Date of Surrender/Arrest       | 28.07.2015                                        |
| Date of Release on Bail        | 28.07.2015                                        |
| Offences Charged with          | u/s 147, 148/149, 323, 435, 308, 447, 504 of IPC. |
| Whether Acquitted or convicted | Acquitted                                         |
| Sentence Imposed               |                                                   |

3.  
IN THE COURT OF Md. GHEYASUDDIN DISTRICT &  
ADDITIONAL SESSIONS JUDGE-II  
Vaishali at Hajipur  
S.Tr no.-434/2018  
Patepur PS Case no.-69/2015

|                                                                                |     |
|--------------------------------------------------------------------------------|-----|
| Period of Detention Undergone during Trial for purpose of section 428, Cr.P.C. | Nil |
|--------------------------------------------------------------------------------|-----|

Accused Details:

|                                                                                |                                                   |
|--------------------------------------------------------------------------------|---------------------------------------------------|
| Rank of the Accused                                                            | A-5                                               |
| Name of Accused                                                                | Bishundev Rai                                     |
| Date of Surrender/Arrest                                                       | 15.05.2015                                        |
| Date of Release on Bail                                                        | 23.06.2015                                        |
| Offences Charged with                                                          | u/s 147, 148/149, 323, 435, 308, 447, 504 of IPC. |
| Whether Acquitted or convicted                                                 | Acquitted                                         |
| Sentence Imposed                                                               |                                                   |
| Period of Detention Undergone during Trial for purpose of section 428, Cr.P.C. | 1 month 8 days                                    |

Accused Details:

|                                                                                |                                                   |
|--------------------------------------------------------------------------------|---------------------------------------------------|
| Rank of the Accused                                                            | A-6                                               |
| Name of Accused                                                                | Arun Kumar                                        |
| Date of Surrender/Arrest                                                       | 19.07.2015                                        |
| Date of Release on Bail                                                        | 06.08.2015                                        |
| Offences Charged with                                                          | u/s 147, 148/149, 323, 435, 308, 447, 504 of IPC. |
| Whether Acquitted or convicted                                                 | Acquitted                                         |
| Sentence Imposed                                                               |                                                   |
| Period of Detention Undergone during Trial for purpose of section 428, Cr.P.C. | 18 days                                           |

Accused Details:

|                                                                                |                                                   |
|--------------------------------------------------------------------------------|---------------------------------------------------|
| Rank of the Accused                                                            | A-7                                               |
| Name of Accused                                                                | Manbodh Rai @ Ramodh Kumar                        |
| Date of Surrender/Arrest                                                       | 28.07.2015                                        |
| Date of Release on Bail                                                        | 28.07.2015                                        |
| Offences Charged with                                                          | u/s 147, 148/149, 323, 435, 308, 447, 504 of IPC. |
| Whether Acquitted or convicted                                                 | Acquitted                                         |
| Sentence Imposed                                                               |                                                   |
| Period of Detention Undergone during Trial for purpose of section 428, Cr.P.C. | Nil                                               |

Accused Details:

|                          |                                                   |
|--------------------------|---------------------------------------------------|
| Rank of the Accused      | A-8                                               |
| Name of Accused          | Pramod Rai                                        |
| Date of Surrender/Arrest | 19.07.2015                                        |
| Date of Release on Bail  | 06.08.2015                                        |
| Offences Charged with    | u/s 147, 148/149, 323, 435, 308, 447, 504 of IPC. |

4.

IN THE COURT OF Md. GHEYASUDDIN DISTRICT &  
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Vaishali at Hajipur

S.Tr no.-434/2018

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|                                                                                |           |
|--------------------------------------------------------------------------------|-----------|
| Whether Acquitted or convicted                                                 | Acquitted |
| Sentence Imposed                                                               |           |
| Period of Detention Undergone during Trial for purpose of section 428, Cr.P.C. | 18 days   |

Accused Details:

|                                                                                |                                                   |
|--------------------------------------------------------------------------------|---------------------------------------------------|
| Rank of the Accused                                                            | A-9                                               |
| Name of Accused                                                                | Nilu Devi                                         |
| Date of Surrender/Arrest                                                       | 28.07.2015                                        |
| Date of Release on Bail                                                        | 28.07.2015                                        |
| Offences Charged with                                                          | u/s 147, 148/149, 323, 435, 308, 447, 504 of IPC. |
| Whether Acquitted or convicted                                                 | Acquitted                                         |
| Sentence Imposed                                                               |                                                   |
| Period of Detention Undergone during Trial for purpose of section 428, Cr.P.C. | Nil                                               |

Accused Details:

|                                                                                |                                                   |
|--------------------------------------------------------------------------------|---------------------------------------------------|
| Rank of the Accused                                                            | A-10                                              |
| Name of Accused                                                                | Bindu Devi                                        |
| Date of Surrender/Arrest                                                       | 28.07.2015                                        |
| Date of Release on Bail                                                        | 28.07.2015                                        |
| Offences Charged with                                                          | u/s 147, 148/149, 323, 435, 308, 447, 504 of IPC. |
| Whether Acquitted or convicted                                                 | Acquitted                                         |
| Sentence Imposed                                                               |                                                   |
| Period of Detention Undergone during Trial for purpose of section 428, Cr.P.C. | Nil                                               |

Accused Details:

|                                                                                |                                                   |
|--------------------------------------------------------------------------------|---------------------------------------------------|
| Rank of the Accused                                                            | A-11                                              |
| Name of Accused                                                                | Chandul Devi                                      |
| Date of Surrender/Arrest                                                       | 28.07.2015                                        |
| Date of Release on Bail                                                        | 28.07.2015                                        |
| Offences Charged with                                                          | u/s 147, 148/149, 323, 435, 308, 447, 504 of IPC. |
| Whether Acquitted or convicted                                                 | Acquitted                                         |
| Sentence Imposed                                                               |                                                   |
| Period of Detention Undergone during Trial for purpose of section 428, Cr.P.C. | Nil                                               |

Accused Details:

|                          |                        |
|--------------------------|------------------------|
| Rank of the Accused      | A-12                   |
| Name of Accused          | Manju Devi             |
| Date of Surrender/Arrest | 28.07.2015             |
| Date of Release on Bail  | 28.07.2015             |
| Offences Charged with    | u/s 147, 148/149, 323, |

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|                                                                                |                            |
|--------------------------------------------------------------------------------|----------------------------|
|                                                                                | 435, 308, 447, 504 of IPC. |
| Whether Acquitted or convicted                                                 | Acquitted                  |
| Sentence Imposed                                                               |                            |
| Period of Detention Undergone during Trial for purpose of section 428, Cr.P.C. | Nil                        |

Accused Details:

|                                                                                |                                                   |
|--------------------------------------------------------------------------------|---------------------------------------------------|
| Rank of the Accused                                                            | A-13                                              |
| Name of Accused                                                                | Ram Pukar Rai                                     |
| Date of Surrender/Arrest                                                       | 12.09.2015                                        |
| Date of Release on Bail                                                        | 18.09.2015                                        |
| Offences Charged with                                                          | u/s 147, 148/149, 323, 435, 308, 447, 504 of IPC. |
| Whether Acquitted or convicted                                                 | Acquitted                                         |
| Sentence Imposed                                                               |                                                   |
| Period of Detention Undergone during Trial for purpose of section 428, Cr.P.C. | 6 days                                            |

LIST OF PROSECUTION/DEFENCE/COURT WITNESSES :-

A. Prosecution

| Name                  | Nature of Evidence<br>(Eye witness, police witness, expert witness, medical witness, panch witness, other witness) |
|-----------------------|--------------------------------------------------------------------------------------------------------------------|
| 1. Sahindra Kumar     | (Eye witness)                                                                                                      |
| 2. Raj Kumar Rai      | (Other witness)                                                                                                    |
| 3. Harendra Kumar Rai | (Other witness)                                                                                                    |
| 4. Chandeshwar Rai    | (Other witness)                                                                                                    |

C. Defence Witnesses, if any:

| Ran<br>k<br>Name | Nature of Evidence<br>(Eye witness, police witness, expert witness, medical witness, panch witness, other witness) |
|------------------|--------------------------------------------------------------------------------------------------------------------|
| DW<br>1          |                                                                                                                    |

D. Court Witnesses, if any:

| Ran<br>k<br>Name | Nature of Evidence<br>(Eye witness, police witness, expert witness, medical witness, panch witness, other witness) |
|------------------|--------------------------------------------------------------------------------------------------------------------|
| CW<br>1          |                                                                                                                    |

LIST OF PROSECUTION/DEFENCE/COURT EXHIBITS

6.  
IN THE COURT OF Md. GHEYASUDDIN DISTRICT &  
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Vaishali at Hajipur  
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A. Prosecution

| Sr. No. | Exhibit Number    | Description        |
|---------|-------------------|--------------------|
| 1       | Exhibit-1         | Recorded Statement |
| 2       | Exhibit-P-1/P.W-1 | Written report     |

B. Defence:

| Sr. No. | Exhibit Number | Description |
|---------|----------------|-------------|
| 1.      |                |             |
|         |                |             |

C. Court Exhibits:

| Sr. No. | Exhibit Number | Description |
|---------|----------------|-------------|
|         |                |             |

D. Material Objects:

| Sr. No. | Exhibit Number | Description |
|---------|----------------|-------------|
|         |                |             |

Present : Md. Gheyasuddin,  
District & Additional Sessions Judge II,  
Vaishali at Hajipur.

**JUDGMENT**

1. The aforesaid accused persons namely Rajendra Rai, Ram Babu Rai, Dewan Rai, Ram Bharosh Rai, Bishundev Rai, Arun Kumar, Manbodh Rai @ Ramodh Kumar, Pramod Rai, Nilu Devi, Bindu Devi, Chandul Devi, Manju Devi and Ram Pukar Rai stand trial for committing offences punishable u/s 147, 148/149, 323, 435, 308, 447, 504 of IPC.
2. The prosecution case can be gleaned into short compass as follows:-

The prosecution case as per fardbyan of informnt Sahindra Rai in brief is that on 04.05.2015 in the morning he was sitting at his door. In the meanwhile at 08:00 O'clock in the morning Arjun Rai, Dewan Rai, Ram Bharosh Rai, Vishundev Rai, Arun Kumar, Ram Pukar Rai, All of Village-Mahiya, PS-Patepur came with lathi, danda restrained the informant and started assaulting him. Thereafter Arjun Rai given ordered to Dewan Rai, Ram Bharosh Rai, and Ramod Rai to set hut of Sahindra Rai on fire and on the same Dewan Rai, Ram Bharosh Rai and Ramod Rai set the informant's house on fire. He objected from setting the hut on fire then Rajindra Rai, Ram Babu Rai, Ramod Kumar, Pramod Kumar, Wife of Dewan Rai Bindu Devi, Chandol Devi, Manju Devi and Billu Devi,

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All of Village-Mahiya, PS-Patepur came and they started throwing stone and bricks and Ram Pukar Rai, Vishun Rai assaulted with bamboo fatta on his head and fractured his head due to which blood woozed out. On alarm villagers came then all took away mangal sutra of Sunita Devi and gold chain of Kamli Devi. The villager brought the informant to government hospital Patepur. There is land dispute between them from earlier.

3. On the basis of fardbyan of informant Patepur PS Case no. 65/2015, dated 11.05.2015 for the offence u/s 147, 148, 149, 323, 325, 308, 379, 435, 447 of the IPC was registered and the investigation of the case was entrusted to SI Sri Kant Singh by SHO Chandan Kumar of Patepur PS.
4. The investigating officer on completion of investigation submitted charge sheet for the offence u/s 147, 148, 149, 323, 308, 435, 447, 504 of the IPC. Accordingly cognizance was taken and the accused persons were summoned to face the trial.
5. In this case charge has been framed against accused persons for the offence u/s 147, 148, 149, 323, 435, 447, 504 of the IPC to which they pleaded not guilty and claimed to be trial and accordingly trial of the case proceeded. The statement of the accused u/s 313 of the IPC was recorded in which they pleaded to be innocent.
6. Now the pertinent question for consideration before this court is as to whether the prosecution has succeeded in bringing home the guilt of accused persons beyond all shadow of reasonable doubt?

**FINDINGS**

In this case prosecution has examined altogether 4 witnesses in support of it's case.

P.W-1 is Sahindra Kumar is the informant of the case, P.W-2 is Raj Kumar Rai, P.W-3 is Harendra Kumar Rai and P.W-4 is Chandeshwar Rai.

7. P.W. 1, Sahindra Kumar has said in his evidence that he is the informant of this case and the occurrence took place 5 to 6 years ago. There was land dispute. He was at his house then Dewan Rai, Rampukar Rai, Ramod Rai, Vishundev Rai came and set his hut on fire and also assaulted him. They assaulted with bamboo fatta due to which his head was fractured and got treatment at Patepur government hospital. He has further said that his uncle Munna Rai and aunt Sunita Devi, Wife of Murli Rai also sustained injuries and all three injured were treated at Patepur. His statement was recorded by the police and he signed on the statement which he identified and the same has been marked as Exhibit-1. He claimed to identify accused persons and identifies Dewan Rai and Ram Pukar Rai present before the court.

In cross-examination by the defence he said that he put up his signature on plain paper and he did not know what was written and the same was not read over to him. He further said that all the accused persons have not arrived together. He further said that there was brick soling on the road there were and there were small pieces of bricks and he fell down on the road. He further said that he did not see any person setting the hut on fire. He also said that there was dispute between the parties and the same has been settled.

8. P.W-2 Raj Kumar Rai, P.W-3 Harendra Kumar Rai and P.W-4 Chandeshwar Rai have said in their evidence that they do not know anything about the occurrence and their statement was not recorded by the police. These witnesses have been declared hostile by the prosecution and on being allowed these witnesses have been cross-examined at length but nothing substantial has come on the record.

In cross-examination by the defence they said that the accused persons are villagers as such they identified them.

9. Bidhu Devi has said in his evidence that she is informant of this case. On 03.06.2025 at 11:30 o'clock in the night hr father-in-law Ram Chandra @ Bhikhari Patel was sitting at his door then her neighbour Arjun Kumar and Om Prakash along with 7 unknown assaulted to her father-in-law with bricks on his head, eye, nose, ear, face and injured him. Her husband objected then all became ready to kill him. Her father-in-law was treated at Sadar Hospital. She had given written report before Sadar Police Station which is in her writing and signature which she identifies and the same has been marked as Exhibit-P-1/P.W-1 on behalf of prosecution. She identify all accused persons. She identify Arjun Kumar and Om Prakash present before the court.

In cross-examination by the defence she said that occurrence took place at 11:00 o'clock in the night. At the time of occurrence she was sleeping in her room and when she came out from the house and saw her father-in-law injured. She further said that she could not see with her own eye who assaulted to her father-in-law. She also said that her house is near to the road and there was IPL match between Bangalore and Punjab and the boys were going celebrating the match. In the meanwhile both group started fighting with themselves and she could not see whose

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bricks hit her father-in-law. She also said that on the saying of people she named the accused persons in the case. She further said that she has compromise the case with accused persons when came to know the truth.

10. P.W-2, Pappu Kumar is the husband of informant. He has said in his evidence that on 03.03.2025 at Dighikala Arjun Kumar, Om Raj were assaulting his father when he went to save then they assaulted to him as well as his wife. He identify both accused and identify accused Arjun Kumar and Om Raj present before the court.

In cross-examination by the defence he said that he does not know anything about the occurrence. He was not present on the day of occurrence and when he came back to house then got information that occurrence has taken place. He did not seen anyone assaulting. He has also said that case has been compromised between the parties.

11. P.W-3, Ram Chandra Mahto is the injured as well as father-in-law of the informant. He said that on 03.06.2025 at 11:00 O'clock in the night Arjun Kumar and Om Raj along with 7 unknown with intention to kill assaulted with bricks on head, eye, neck, nose, face and injured him. When his son and daughter-in-law came to save then they also assaulted them and injured. The treatment was done at Sadar Hospital. He identify both accused and identify Arjun Kumar and Om Raj present before the court.

In cross-examination by the defence he said that he is retired government servant. His age is 65 years and does not clearly see with his eye. He was sleeping at 11:30 o'clock on the day of occurrence and there was darkness as there was no light. He further said that he could not see who assaulted to him. He further said that on the day of occurrence there was IPL match between Punjab and Bangalore and Bangalore won the match. The boys were celebrating the match and in the course they started fighting to each other and also thrown stone on each other due to which he sustained injury. He could not see who assaulted him. He was treated at Sadar hospital. He also said that he has compromised the case with his own sweet will and after compromise cordial relation has been restored. He has filed the compromise after putting his signature. He identified the accused as they are villager. He

has no objection if the accused are acquitted from this case.

12. The learned lawyer on behalf of the defence said that the prosecution witnesses have not supported the prosecution case and the accused persons are innocent have not committed any offence and accordingly prayer has been made to acquit the accused persons from the charges levelled against them.

13. The learned Additional Public prosecutor on behalf of prosecution has argued that the witnesses examined on behalf of prosecution have supported the prosecution case accordingly prayed to convict the accused persons for the charges levelled against them.

14. It is pertinent to mention here that in this case compromise petition along with permission petition duly signed by both parties has been filed on 22.10.2024 which find place in this record. In this case all the injured have not compromised the case as such the case will be decided on merit and evidence available on the record.

15. On scrutiny of the evidence of witness it is found that Bidhu Devi has said in his evidence that she is informant of this case. On 03.06.2025 at 11:30 o'clock in the night her father-in-law Ram Chandra @ Bhikhari Patel was sitting at his door then her neighbour Arjun Kumar and Om Prakash along with 7 unknown assaulted her father-in-law with bricks on his head, eye, nose, ear, face and injured him. Her husband objected then all became ready to kill him but in cross-examination by the defence she said that occurrence took place at 11:00 o'clock in the night. At the time of occurrence she was sleeping in her room and when she came out from the house and saw her father-in-law injured. She further said that she could not see with her own eye who assaulted her father-in-law. She also said that her house is near to the road and there was IPL match between Bangalore and Punjab and the boys were going celebrating the match. In the meanwhile both groups started fighting with themselves and she could not see whose bricks hit her father-in-law. She also said that on the saying of people she named the accused persons in the case. She further said that she has compromised the case with accused persons when they came to know the truth. P.W-2 Pappu Kumar is the husband of informant. He has said in his evidence that on 03.03.2025 at Dighikala Arjun Kumar, Om Raj were assaulting his father when he went to save then they assaulted him as well as his wife but in his cross-examination by the defence he said that he does not know anything about the occurrence. He was not present on the day of occurrence and when he came back to house then got information that occurrence has taken place. He did not see anyone assaulting. He has also said that case has been compromised

11.  
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between the parties. P.W-3, Ram Chandra Mahto is the injured as well as father-in-law of the informant. He said that on 03.06.2025 at 11:00 O'clock in the night Arjun Kumar and Om Raj along with 7 unknown with intention to kill assaulted with bricks on head, eye, neck, nose, face and injured him. When his son and daughter-in-law came to save then they also assaulted them and injured but in his cross-examination by the defence he said that he is retired government servant. His age is 65 years and does not clearly see with his eye. He was sleeping at 11:30 o'clock on the day of occurrence and there was darkness as there was no light. He further said that he could not see who assaulted to him. He further said that on the day of occurrence there was IPL match between Punjab and Bangalore and Bangalore won the match. The boys were celebrating the match and in the course they started fighting to each other and also thrown stone on each other due to which he sustained injury. He could not see who assaulted him. He also said that he has compromised the case with his own sweet will and after compromise cordial relation has been restored. He has filed the compromise after putting his signature. He identified the accused as they are villager. He has no objection if the accused are acquitted from this case. Moreover the case has been compromised between the parties and accordingly compromise petition dated 22.10.2024 along with permission petition has been filed which is on the record.

16. In view of this facts and circumstances of the case as well as, the evidence of prosecution witness discussed above, this court come to the findings that the prosecution has not been able to prove the charges u/s 147, 148/149, 323, 435, 308, 447, 504 of IPC levelled against the accused persons beyond all reasonable doubts.

17. In the result, I find and hold the above named accused persons namely Rajendra Rai, Ram Babu Rai, Dewan Rai, Ram Bharosh Rai, Bishundev Rai, Arun Kumar, Manbodh Rai @ Ramodh Kumar, Pramod Rai, Nilu Devi, Bindu Devi, Chandul Devi, Manju Devi and Ram Pukar Rai not guilty for the charges u/s 147, 148/149, 323, 435, 308, 447, 504 of IPC, accordingly acquitted there under. The accused persons are also discharged from the liability of their bail bonds and set at liberty.

Dictated and corrected by me

Md. Gheyasuddin  
District & Additional Sessions Judge-2nd  
Vaishali at Hajipur  
07.05.2026

Md. Gheyasuddin  
District & Additional Sessions Judge 2nd,  
Vaishali at Hajipur,  
07.05.2026