

1.
IN THE COURT OF Md. GHEYASUDDIN DISTRICT &
ADDITIONAL SESSIONS JUDGE-II
Vaishali at Hajipur
S.Tr no.-524/2022(Jandaha PS Case no.-129/2022)

IN THE COURT OF DISTRICT & ADDITIONAL SESSIONS JUDGE-II Vaishali at Hajipur Present Md. Gheyasuddin, District & Additional Sessions Judge-1 Date of Judgment:-20.04.2026 S.Tr No.:- 524/2022 Case No.- <u>Jandaha PS Case no.-129/2022</u>	
REPRESENTED BY	Sri Shiv Shankar Prasad Sinha, A.P.P.
ACCUSED	Ram Pravesh Singh, Son of Late Umdar Singh, R/o Village- Laxmanpur, PS- Jandaha, Dist-Vaishali,
REPRESENTED BY	Shree Bipin Kumar, Learned Advocate

Date of Offence	24.04.2022
Date of FIR	25.04.2022
Date of Charge-sheet	CS No.- 190/2022, dated- 20.06.2022
Date of Framing of Charges	11.01.2023
Date of Commencement of evidence	09.02.2023
Date on which judgment is reserved	18.04.2026
Date of the Judgment	20.04.2026
Date of the Sentencing Order, if any	

Accused Details:

Rank of the Accused	A-1
Name of Accused	Ram Pravesh Singh
Date of Surrender/Arrest	26.04.2022
Date of Release on Bail	29.11.2022
Offences Charged with	u/s 323/34, 324/34, 307/34, 379/34, 504/34, 506/34 of IPC.
Whether Acquitted or convicted	Acquitted
Sentence Imposed	
Period of Detention Undergone during Trial for purpose of section 428, Cr.P.C.	7 months and 3 days

LIST OF PROSECUTION/DEFENCE/COURT WITNESSES :-
A. Prosecution

Name	Nature of Evidence (Eye witness, police witness, expert witness, medical witness, panch witness, other witness)
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2.
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1.	Bipin Singh	(other witness)
2.	Ram Briksh Singh	(other witness)
3.	Bhivisan Singh	(Eye witness)
4.	Suman Kumar Singh	(other witness)

C. Defence Witnesses, if any:

Ran Name k	Nature of Evidence (Eye witness, police witness, expert witness, medical witness, panch witness, other witness)
DW 1	

D. Court Witnesses, if any:

Ran Name k	Nature of Evidence (Eye witness, police witness, expert witness, medical witness, panch witness, other witness)
CW 1	

LIST OF PROSECUTION/DEFENCE/COURT EXHIBITS

A. Prosecution

Sr. No.	Exhibit Number	Description
1	Exhibit-1/P.W-3	Signature on Written report
2.		

B. Defence:

Sr. No.	Exhibit Number	Description
1.		

C. Court Exhibits:

Sr. No.	Exhibit Number	Description

D. Material Objects:

S r. N o.	Exhibit Number	Description

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

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JUDGMENT

1. The aforesaid accused Ram Pravesh Singh stands trial for committing offence punishable u/s 323/34, 324/34, 307/34, 379/34, 504/34, 506/34 of IPC.
2. The prosecution case can be gleaned into short compass as follows:-

The prosecution case in brief as per written report of informant Bibhishan Prasad Singh in brief is that on 24.04.2022 at 00:15 AM in the night he was in his house with family members. In the meantime Ram Pravesh Singh, Son of Umdar Singh, Raj Kapoor, Son of Ram Pravesh Singh, Ashok Kumar, Son of Ram Pravesh Singh, All of Village- Laxmanpur, PS-Jandaha, Dist-Vaishali came to his house giving abuses which was objected by his son. Thereafter they all assaulted his son with fist and danda. He went to save his son then they all left his son and started assaulting him with fist and danda. In the meantime Raj Kapoor, Son of Ram Pravesh Singh assaulted with sharp weapon hasuli with intention to kill which hit on his head due to which his head was cut and blood woozed out and he after becoming unconscious fell down on the ground. In the meanwhile Ram Pravesh Singh took away gold chain from his neck which was seen by his son. When his son asked to give the golden chain then they also assaulted him. Thereafter Raj Kapoor entered into his house and took away Rs. 59,000/- which was kept under the bed.

3. On the basis of written report of informant Jandaha PS Case no.123/2022, dated 25.04.2022 for the offence u/s 341, 324, 307, 379, 504, 506/34 of IPC was registered against accused Ram Pravesh Singh and Raj Kapoor as named in the FIR and the investigation of the case was entrusted to ASI Suman Kumar.
4. The investigating officer on completion of investigation submitted charge sheet no. 190/2022, dated 20.06.2022 for the offence u/s 323, 324, 307, 379, 504, 506/34 of IPC against Ram Pravesh Singh continuing supplementary investigation against the other accused as the statutory period was about to be completed.
5. The case record of accused Ram Pravesh Singh was committed to the court of session on 29.07.2022 and the case record was transferred to Additional Sessions Judge-II, Vaishali at Hajipur and ultimately the case was transferred to this court vide order dated 146/2023 for trial and disposal.
6. In this case charge has been framed against accused for the offence u/s 323, 324, 307, 379, 504, 506/34 of IPC to which he 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 he pleaded to be innocent.

7. 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 3 witnesses in support of it's case.

P.W-1 is Bipin Singh, P.W-2 is Ram Briksh Singh, P.W-3 is Bibhishan Singh the informant of this case and P.W-4 Suman Kumar.

8. P.W. 1, Bipin Singh has said in his evidence that he has not known about occurrence and he had only heard that occurrence took place but he does not know with whom the occurrence took place. He further said that the occurrence took place between Ram Pravesh and Bibhishan Singh but he does not know what occurrence took place with whom. His statement was not recorded by the police. He identified accused Ram Pravesh present before the court.

In cross-examination by the defence he said that he did not see the occurrence with his eye. He identified accused as his villager.

9. P.W-2, Ram Briksh Singh has said in his evidence that he had heard about the occurrence but he cannot say between whom occurrence took place. The occurrence took place between Ram Pravesh Singh and Bibhishan Singh but he does not know what occurrence took place. His statement was not recorded. This witness has been declared hostile by the prosecution and on being allowed this witness has been cross-examined by the prosecution but nothing substantial has come on the record.
10. P.W-3, Bibhishan Singh is the informant of this case. He has said that occurrence took place in the year 2022 at 10:30 in the night. He was at his house and there was dinner party at the same place, dispute has arisen with Ram Pravesh. Thereafter for the same dispute Ram Pravesh and his son assaulted him due to which his head was fractured. He was treated at Hajipur Sadar, Hospital thereafter he filed a written report before the Jandaha Police station putting his signature. On such his son also put up his signature which he identified and the written report has been marked as Exhibit-1/P.W-3 on behalf of prosecution. He identified accused Ram Pravesh present before the court.

In cross-examination by the defence said that the accused is his neighbour as such he identified him from earlier. He further said that at the time of occurrence there was darkness and he did not see who assaulted whom. He also said that there was some dispute for taking meal in the night as such he told that for the first time he has been assaulted and on the basis of

the same he filed the case. The people had gathered after occurrence and due to night they did not see any occurrence. He further said that he had given his statement before the police that due to darkness he did not see who assaulted whom.

11. P.W-4, Suman Kumar Singh has said in his evidence that he does not know anything about the occurrence and his statement was not recorded by police. This witness has been declared hostile by the prosecution and on being allowed this witness has been cross-examined by the prosecution but nothing substantial has come on the record.
12. The learned lawyer on behalf of the defence said that the prosecution witnesses have not supported the prosecution case and the accused is innocent has not committed any offence and accordingly prayer has been made to acquit the accused from the charges levelled against him.
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 for the charges levelled against him.
14. It is pertinent to mention here that in this case compromise petition along with permission petition duly signed by the informant and accused Ram Pravesh has been filed on 11.05.2023 which find place in this record, however in this case the son of the informant who is also injured as well as aggrieved of the occurrence who has not entered into compromise. As such compromise petition has not accepted and the record will be decided on merit and the evidence available on record.
15. On scrutiny of the evidence of witness it is found that P.W. 1, Bipin Singh has said in his evidence that he has not known about occurrence and he had only heard that occurrence took place but he does not know with whom the occurrence took place. He further said that the occurrence took place between Ram Pravesh and Bibhishan Singh but he does not know what occurrence took place with whom. P.W-2 Ram Briksh Singh and P.W-4 Suman Kumar Singh has been declared hostile. P.W-3, Bibhishan Singh is the informant of this case. He has said that occurrence took place in the year 2022 at 10:30 in the night. He was at his house and there was dinner party at the same place, dispute has arisen with Ram Pravesh. Thereafter for the same dispute Ram Pravesh and his son assaulted him due to which his head was fractured but in cross-examination by the defence said that the accused is his neighbour as such he identified him from earlier. He further said that at the time of occurrence there was darkness and he did not see who assaulted whom. He also said that there was some dispute for taking meal in the night as such he told that for the first time he has been assaulted and on the basis of the same he filed the case.

6.

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The people had gathered after occurrence and due to night they did not see any occurrence. Moreover the case has been compromised between the parties and accordingly compromise petition dated 11.05.2023 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 323, 324, 307, 379, 504, 506/34 of IPC levelled against the accused beyond all reasonable doubts.

17. In the result, I find and hold the above named accused Ram Pravesh Singh not guilty for the charges 323, 324, 307, 379, 504, 506/34 of IPC, accordingly acquitted there under. The accused is also discharged from the liability of his bail bonds and set at liberty.

Dictated and corrected by me

Md. Gheyasuddin
District & Additional Sessions Judge-2nd
Vaishali at Hajipur
20.04.2026

Md. Gheyasuddin
District & Additional Sessions Judge 2nd,
Vaishali at Hajipur,
20.04.2026