

COURT OF ADDITIONAL DISTRICT & SESSIONS JUDGE-XI
CIVIL COURT, BEGUSARAI, BIHAR

PRESENT : Manoj Kumar-V
District & Addl. Sessions Judge-XI, Begusarai
DATE OF JUDGMENT: 29.06.2026

Session Trial No. - 219 of 2025
General Register No. - 399 of 2024
Mufassil P.S. Case No. - 58 of 2024

FORM-A

Complainant	STATE OF BIHAR through Satish Mahto S/o Late Ramswarup Mahto, Vill.+P.O.- Vandwar, P.S.- Nima Chandpura, Distt.- Begusarai.
Represented by	Sri Gopal Sahu {Learned A. P. P.}
Accused person	Sujeet Kumar @ Sarkar S/o- Raj Kumar Mahto @ Gudra, aged about 27 years, R/o Vill.- Mohammadpur, Ward No. 38, P.S.- Town, District- Begusarai
Represented by	Sri Lalan Kumar (Ld. Adv)

FORM -B

Date of Offence	03.02.2024
Date of FIR	04.02.2024 {Registered U/s- 392 of IPC.}
Date of Charge-sheet	Charge sheet No.- 304/2024, dated 19.11.2024 {U/s- 395/411 of IPC showing the accused person namely Sujeet Kumar @ Sarkar.
Date of Framing Charge	15.11.2025 {U/s 395, 411 of IPC}against the accused Sujeet Kumar.
Date of Commencement of evidence	26.11.2025
Date on which Judgement is reserved	NA
Date of the Judgement	29.06.2026
Date of the Sentencing order	NA

COURT OF ADDITIONAL DISTRICT & SESSIONS JUDGE-XI
CIVIL COURT, BEGUSARAI, BIHAR

PRESENT : Manoj Kumar-V
District & Addl. Sessions Judge-XI, Begusarai
DATE OF JUDGMENT: 29.06.2026

Session Trial No. - 219 of 2025
General Register No. - 399 of 2024
Mufassil P.S. Case No. - 58 of 2024

ACCUSED DETAILS

Rank of the Accused	Name of Accused	Date of Arrest	Date of Release of Bail	Offences charged with	Whether Acquitted or convicted	Sentence Imposed	Period of Detention Undergone during Trial for purpose of Section 428, Cr.P.C.
1.	Sujeet Kumar @ Sarkar	27.09.2024	Under custody till judgment i.e, 29.06.2026	U/s- 395, 411 of IPC	Acquitted	N/A	01 year, 9 months 02 days

FORM C

LIST OF PROSECUTION /DEFENCE/COURT WITNESSES

A. PROSECUTION

RANK	NAME	NATURE OF EVIDENCE
1.	Satish Mahto	P.W.-1 (Informant, Eye witness)
2.	Ranjit Kumar	P.W.-2 (Hearsay witness)
3.	Rohit Raj Shiva	P.W.-3 (Hearsay witness)
4.	Prakash Mahto	P.W.-4 (Hearsay witness)
5.	Faisal Ahmad Ansari	P.W.-5 (I.O.)

B. DEFENCE WITNESSES, IF ANY:

RANK	NAME	NATURE OF EVIDENCE
N/A	N/A	N/A

C. COURT WITNESSES, IF ANY:

RANK	NAME	NATURE OF EVIDENCE
N/A	N/A	N/A

COURT OF ADDITIONAL DISTRICT & SESSIONS JUDGE-XI
CIVIL COURT, BEGUSARAI, BIHAR

PRESENT : Manoj Kumar-V
District & Addl. Sessions Judge-XI, Begusarai
DATE OF JUDGMENT: 29.06.2026

Session Trial No. - 219 of 2025
General Register No. - 399 of 2024
Mufassil P.S. Case No. - 58 of 2024

LIST OF PROSECUTION/DEFENCE/COURT EXHIBITS

A. PROSECUTION:

Sr. No.	Exhibit Number	Description
1.	P-1/P.W.01	C.C. of written application which is in handwriting of Ranjeet and Signature of the informant Satish Mahto.
2.	P-2/P.W.05	Signature of SHO Rajiv Ranjan on the formal FIR typed by himself.
3.	P-1/1/P.W.05	The Registration of the written application by the then SHO Rajiv Ranjan. This is in his handwriting and signature.
4.	P-3 / P.W.05	The original copy of confessional statement of Diwana Kumar.
5.	P-4 / P.W.05	The original copy of confessional statement of Sanskrit Choudhary.
6.	P-5 / P.W.05	The original copy of confessional statement of Sanjeev Kumar.
7.	P-6 / P.W.05	The original copy of confessional statement of Sujeet Kumar @ Sarkar.
8.	P-7 / P.W.05	Seizure list dated 06.02.2024 at 21:50 Hrs.
9.	P-8 / P.W.05	Seizure list dated 06.02.2024 at 23:50 Hrs.
10.	P-9 / P.W.05	Seizure list dated 07.02.2024 at 01:45 Hrs.

B. DEFENCE:

Sr. No.	Exhibit Number	Description
N/A	N/A	N/A

C. COURT EXHIBITS :

Sr. No.	Exhibit Number	Description
N/A	N/A	N/A

D. MATERIAL OBJECTS:

COURT OF ADDITIONAL DISTRICT & SESSIONS JUDGE-XI
CIVIL COURT, BEGUSARAI, BIHAR

PRESENT : Manoj Kumar-V
District & Addl. Sessions Judge-XI, Begusarai
DATE OF JUDGMENT: 29.06.2026

Session Trial No. - 219 of 2025
General Register No. - 399 of 2024
Mufassil P.S. Case No. - 58 of 2024

Sr. No.	Exhibit Number	Description
N/A	N/A	N/A

J U D G M E N T

1. The sole accused namely **Sujeet Kumar @ Sarkar** is facing trial in this record for the offences punishable u/s- 395, 411 of IPC. The charges have been framed and explained to the aforementioned accused person in Hindi on 15.11.2025 to which he denies and claims to be tried.

CASE OF THE PROSECUTION:

2. The prosecution story in short is that the informant, Satish Mahto S/o Late Ramswarup Mahto, in his written application stated that on 03.02.2024, he was returning to his home Vandwar from Punjab National Bank, Godargama, then near Haradiya, four persons riding on two motorcycles came and put a pistol upon him and snatched his motorcycle, Bank's key, Cash of Rs. 5,000/-, Aadhar Card, and a Samsung Keypad Mobile Phone having no. 9973298449 at about 09:00 P.M. and fled away. The looted motorcycle was Splendor Plus (13S-Self-DRUM) of Red, Black color having Reg. No. BR09AG9290, Chasis No. MBLHAW121LHJ07468, Engine No. HA11EYLHJ07147. So, this case.

PROCEDURAL HISTORY

3. On the basis of written application of the informant, Satish Mahto, the police registered the formal F.I.R. as Mufassil P.S. Case No. 58/2024 u/s- 392 of I.P.C. against the unknown persons. After investigation, the I.O. has submitted chargesheet no. 304/24 dated 19.11.2024 against

COURT OF ADDITIONAL DISTRICT & SESSIONS JUDGE-XI
CIVIL COURT, BEGUSARAI, BIHAR

PRESENT : Manoj Kumar-V
District & Addl. Sessions Judge-XI, Begusarai
DATE OF JUDGMENT: 29.06.2026

Session Trial No.	- 219 of 2025
General Register No.	- 399 of 2024
Mufassil P.S. Case No.	- 58 of 2024

the accused person namely Sujeet Kumar @ Sarkar u/s- 395, 411 I.P.C. Accordingly, Ld. I/C C.J.M. took cognizance against accused person in this case and transferred the case to the court of Shri Om Prakash, J.M.F.C., Begusarai who after supplying police paper committed the case to the court of sessions on 13.02.2025 against the sole accused namely Sujeet Kumar @ Sarkar.

4. After appearance of custody accused namely Sujeet Kumar @ Sarkar and hearing the Public Prosecutor for the State of Bihar and Ld. Advocate for the defence, the charges under section- 395, 411 of I.P.C. have been framed on 15-11-2025. The charge was read over and explained to him in hindi to which he specifically denied the allegation and pleaded not guilty and claimed to be tried.
5. The accused person in his statement under section 313 of Cr.P.C. denied the allegations against him and also claimed to be innocent.

POINTS FOR DETERMINATION:

6. Now, point for determination by this court is whether the prosecution has been able to prove its case including the charge framed against the accused person beyond the shadows of all reasonable doubts or not?

EVIDENCE ADDUCED BY THE PARTIES:

7. The accused person was put to trial upon after explaining the charges. File was put for presenting oral/documentary on behalf of the prosecution. The prosecution has presented five (05) witnesses. The witnesses are:

P.W. 1, Satish Mahto
P.W.-2, Ranjit Kumar,
P.W.-3, Rohit Raj Shiva,
P.W.-4, Prakash Mahto (Peon at PNB),

COURT OF ADDITIONAL DISTRICT & SESSIONS JUDGE-XI
CIVIL COURT, BEGUSARAI, BIHAR

PRESENT : Manoj Kumar-V
District & Addl. Sessions Judge-XI, Begusarai
DATE OF JUDGMENT: 29.06.2026

Session Trial No.	- 219 of 2025
General Register No.	- 399 of 2024
Mufassil P.S. Case No.	- 58 of 2024

P.W.-5, Faisal Ahmad Ansari (I.O.)

STATEMENT OF WITNESSES:

8. Now, the court will examine and make scrutiny of the oral evidences of Prosecution witnesses.

P.W.-1, Satish Mahto (informant), in his examination-in-chief, states that he is the informant of this case. The incident took place on 03.02.2024 at around 9 PM. He was going to his home in Bandwar from Punjab National Bank, Godargama. On the way, near Hardiya, suddenly four men came on two bikes, pressed a pistol against him, and snatched his Splendor Plus bike, whose number was BR 09 AG 9290. After snatching the vehicle, one man fled, and the other men, while holding a pistol against him, took him into the field and fled after snatching his Samsung company mobile phone, five thousand rupees, bank keys, Aadhaar card, and PAN card. His son Ranjit had written the application, and after reading and understanding it, the informant affixed his signature on it and submitted it to the police station. This is the certified copy of that very application, which he recognizes; it is marked as Exhibit – P-1/P.W.01. Further, he states that he does not recognize the accused. Everyone was wearing a face covering (Galmochhi).

The accused currently in custody is present in court today; upon being asked, he stated his name as Sujit Kumar.

However, in his Cross-Examination on behalf of the Accused, he states that the accused standing in the court was not involved in committing the incident. He does not recognize any accused because they were wearing face coverings (Galmochhi).

COURT OF ADDITIONAL DISTRICT & SESSIONS JUDGE-XI
CIVIL COURT, BEGUSARAI, BIHAR

PRESENT : Manoj Kumar-V
District & Addl. Sessions Judge-XI, Begusarai
DATE OF JUDGMENT: 29.06.2026

Session Trial No.	- 219 of 2025
General Register No.	- 399 of 2024
Mufassil P.S. Case No.	- 58 of 2024

P.W.-2, Ranjit Kumar S/o Satish Mahto, in his examination-in-chief, states that the incident occurred on 03.02.2024 at 9 p.m. He was on duty at Punjab National Bank, Mohan Eghu, when he received a call from home informing him that his father had not yet arrived. He called his wife and asked if he had arrived at the Dera. She replied, "No." Shortly thereafter, he left the office to look for him. He then found him at the Mufassil police station. When him asked him what had happened, he explained that four men on two bikes overtook him near the Hardiya petrol pump, stopped him, and snatched his vehicle at gunpoint. They also assaulted him, and took his bank keys, Aadhaar card, PAN card, and five thousand rupees in cash. When asked if he recognized them, he said he didn't recognize anyone; they were all wearing face coverings. His father had filed an application at the police station. He filed the application that same day. They sat there until midnight because the station in-charge wasn't present when they went. His father was also treated by the village doctor. He also did not know the person who committed the crime. He does not recognize the accused.

However in the cross-examination on behalf of the accused, he states that he does not recognize the accused. He did not witness the incident with his own eyes and he is willingly testifying today.

P.W.-3, Rohit Raj Shiva, S/o- Sri Satish Mahto, in his examination-in-chief, states that the incident occurred on February 3, 2024. He was at home at the time. It happened around 9 p.m. His father's phone was switched off, so he went out to look for him. Around 9:30 p.m., he received a call at home stating that his father's bike and phone had

COURT OF ADDITIONAL DISTRICT & SESSIONS JUDGE-XI
CIVIL COURT, BEGUSARAI, BIHAR

PRESENT : Manoj Kumar-V
District & Addl. Sessions Judge-XI, Begusarai
DATE OF JUDGMENT: 29.06.2026

Session Trial No.	- 219 of 2025
General Register No.	- 399 of 2024
Mufassil P.S. Case No.	- 58 of 2024

been snatched. He met his father around 9:45 p.m., and he went to the police station with him and others. They took the application and told them to come back the next day. His elder brother, Ranjit Kumar, had written the application; he was also present there. His father signed the application, and the case was filed based on that application. To this day, they have not received either the mobile or the bike. At that time, his father had bank keys, his PAN card, his Aadhaar card, and about five thousand rupees, along with a Samsung Keypad Mobile Phone. He has no idea who was named as accused in this case. However, he later learned that Neeraj, Dheeraj, and Sujeet were named as accused. He doesn't recognize the accused because he wasn't at the scene.

However, in the Cross-examination on behalf of the accused, he states that he does not know Sarita Mishra. He has not seen the incident with his own eyes and has willingly given testimony today.

P.W.-4, Prakash Mahto, S/o- Late Ramswarup Mahto, in his examination-in-chief, states that the incident occurred on February 3, 2024, around 9 p.m. He was at home at the time. His brother, Satish Mahto, called from someone else's mobile phone. He was at the Mufassil police station. He reached the Mufassil police station around 10 P.M. and met his brother there. He explained that he was on his way home from Godargama Bank, as he passed Hardiya Pump, four men on two motorcycles stopped him at gunpoint, snatched his vehicle, and also took the bank keys and some documents, including his Aadhaar card, ATM card, and PAN card. His brother filed an application to this effect at the police station. He explained that the criminals were wearing masks and could not identify them. Later, he

COURT OF ADDITIONAL DISTRICT & SESSIONS JUDGE-XI
CIVIL COURT, BEGUSARAI, BIHAR

PRESENT : Manoj Kumar-V
District & Addl. Sessions Judge-XI, Begusarai
DATE OF JUDGMENT: 29.06.2026

Session Trial No.	- 219 of 2025
General Register No.	- 399 of 2024
Mufassil P.S. Case No.	- 58 of 2024

couldn't even identify who committed the crime. Even if he saw them, he couldn't identify them.

However in Cross-examination on behalf of the accused, he states that he has not seen the incident with his own eyes and has willingly given testimony today.

P.W.-05, Faisal Ahmad Ansari (I.O.), in his examination-in-chief, states that on February 4, 2024, he was posted as the S.H.O. of the Mufassil Police Station. On February 5, 2024, he assumed charge of Mufassil P.S. Case No. 58/24 from S.I. Ashok Kumar Paswan. The formal FIR was typed by S.I. Rajiv Ranjan. was typed by the SHO incharge Rajiv Ranjan and bears his signature, which he recognises, and is marked as Exhibit P-2/PW05. The written application was endorsed by the then SHO, Rajiv Ranjan, whom he recognizes. It is in his own handwriting and signature, which he recognize. It is marked as Exhibit P-1/1/PW05.

On the request of the learned APP, the examination-in-chief of the witness was adjourned to the next date.

In his remaining examination-in-chief on behalf of prosecution, he states that after assuming responsibility for the investigation of the case, he reviewed the FIR and the previous investigation conducted by the investigator. They recorded the informant's statement again, as well as statements from witnesses Rohit Raj, Ranjit Kumar, and Prakash Mahato, who supported the incident, and inspected the scene of the incident. The scene of this incident is located in the village of Hardiya, under the jurisdiction of the Mufassil Police Station, Begusarai, approximately two hundred meters beyond the petrol pump on the road from Begusarai to Majhaul, where the informant's

COURT OF ADDITIONAL DISTRICT & SESSIONS JUDGE-XI
CIVIL COURT, BEGUSARAI, BIHAR

PRESENT : Manoj Kumar-V
District & Addl. Sessions Judge-XI, Begusarai
DATE OF JUDGMENT: 29.06.2026

Session Trial No.	- 219 of 2025
General Register No.	- 399 of 2024
Mufassil P.S. Case No.	- 58 of 2024

motorcycle was reportedly snatched by unknown criminals. The boundary is bordered by the road to Majhaul to the north, the road to Begusarai to the south, the Maa Kali Engineering Workshop to the east, and Ram Kant Kunwar's two-story concrete house to the west. In the course of investigation, after reaching the spot of incident, the detectives and the people nearby were questioned in connection with the incident in which they told about the involvement of Niraj Kumar @ Raghav, S/o Yogendra Paswan, Village- Suja, P.S.- Mufassil and Sanskrit Choudhary and his associates. Thereafter, going to Khatopur Chowk, with the help of local police, a black colour Passion Pro motorcycle, Aadhar card of informant Satish Mahato, S/o Ramswaroop Mahto and ATM card of PNB were recovered from Niraj Kumar @ Raghav. In his confessional statement, he told that in this incident, apart from him, Sanskrit Choudhary, Sujeet Kumar @ Sarkar and his associates had committed the crime and on the basis of the confessional statement, on his information, the engine of the stolen motorcycle and the number plate of the stolen motorcycle BR 09AG9290 were recovered from his house and he was arrested. After this, on his information, the Apache motorcycle BR09AE9614 used in the robbery was recovered from Sanskrit Choudhary's house and the Motorcycle was seized. Subsequently, a confessional statement was recorded by Diwana Kumar, another accused in the case, in which he admitted to the crime. The original copy of the confessional statement bears Diwana Kumar's signature, and this is in his handwriting and signature which he recognizes and is marked as Exhibit- P-3/P.W-05. Subsequently, in the course of investigation, he recorded the confessional statement of Sanskrit Choudhary, another accused in this

COURT OF ADDITIONAL DISTRICT & SESSIONS JUDGE-XI
CIVIL COURT, BEGUSARAI, BIHAR

PRESENT : Manoj Kumar-V
District & Addl. Sessions Judge-XI, Begusarai
DATE OF JUDGMENT: 29.06.2026

Session Trial No.	- 219 of 2025
General Register No.	- 399 of 2024
Mufassil P.S. Case No.	- 58 of 2024

case, in which he admitted to the crime. The original confession bears Sanskrit Choudhary's signature, and it is in his handwriting and signature, which he recognizes and is marked as Exhibit – P-4/P.W-05. Subsequently, during the investigation, a confessional statement was recorded from Sanjeev Kumar, another accused in this case, in which he admitted to the crime. The original copy of the confessional statement bears Sanjeev Kumar's signature, and it is in his handwriting and signature, which he recognizes and it is marked as Exhibit-P-5/P.W-05. After this, during the investigation, the confessional statement of another accused of this case, Sujeet Kumar @ Sarkar, was recorded in which he accepted the crime. The original copy of the confessional statement bears the signature of Sujeet Kumar @ Sarkar and it is in his handwriting and signature which he recognizes. He admitted that in this case, apart from himself, Diwana Kumar, Niraj Kumar @ Raghav, Sanskrit Chaudhary, Sanjeev Kumar, Niraj Kumar @ Chhotu had looted the motorcycle and hidden the engine of the motorcycle in the house of Niraj Kumar @ Raghav and he told that the Aadhar card and ATM of the informant were recovered from him which is marked as Exhibit P-6/P.W-05. Thereafter, charge sheet No. 41/24 dated 31.03.2024 u/s- 392/411 of the IPC was submitted against Niraj Kumar @ Raghav. After this, Sanskrit Choudhary, Niraj Kumar @ Chhotu, Diwana Kumar, and Sanjeev Kumar were remanded in this case and charge sheet number 75/24 dated 29.05.2024 u/s- 392/411 of the IPC was submitted against them. After this, Sujeet Kumar @ Sarkar, S/o Rajkumar, was remanded in this case and charge sheet number 304/24 dated 19.11.2024 u/s- 395/411 of the IPC was submitted against him. On 06.02.2024 at 21:50 hrs, a black colour

COURT OF ADDITIONAL DISTRICT & SESSIONS JUDGE-XI
CIVIL COURT, BEGUSARAI, BIHAR

PRESENT : Manoj Kumar-V
District & Addl. Sessions Judge-XI, Begusarai
DATE OF JUDGMENT: 29.06.2026

Session Trial No.	- 219 of 2025
General Register No.	- 399 of 2024
Mufassil P.S. Case No.	- 58 of 2024

Passion Pro motorcycle BR 09 V 4195, Aadhar card and PNB ATM card of informant Satish Mahto were recovered from FIR accused Niraj Kumar @ Raghav at Khatopur Chowk, the seizure list of which is in his handwriting and signature, in which constable Dharmendra Kumar and Rajesh Kumar have signed as witnesses, a copy of which was made available to Niraj Kumar @ Raghav, whom he recognizes, on the identification of the witness, the entire seizure list is marked as Exhibit P-7/P.W-05. Again on 06.02.2024 at 23:50 hrs, the engine of the stolen Hero motorcycle and the number plate of the stolen motorcycle BR 0790G 9290 were recovered from the house of non-primary accused Niraj Kumar @ Raghav in Village- Suja, the seizure list of which was prepared by him, which is in his handwriting and signature, in which constable Dharmendra Kumar and Rajesh Kumar have signed as witnesses, a copy of which was made available to Niraj Kumar @ Raghav, whom he identifies, on the identification of the witness the entire seizure list is marked as Exhibit P-8/P.W-05. Again on 07.02.2024 at 01:45 pm, the motorcycle Apache registration number BR09AE9614 used in the break-in was recovered from the house of the non-primary accused Sanskrit Choudhary and a seizure list was prepared, which is in his handwriting and signature, in which constable Dharmendra Kumar and Rajesh Kumar have signed as witnesses, a copy of which was pasted at the house of Sanskrit Choudhary, which he recognizes, on the identification of the witness, the entire seizure list is marked as Exhibit P-9/P.W-05. Further, he states that he recognizes all the accused, accused Sujeet Kumar is present in the court today, he recognizes him.

COURT OF ADDITIONAL DISTRICT & SESSIONS JUDGE-XI
CIVIL COURT, BEGUSARAI, BIHAR

PRESENT : Manoj Kumar-V
District & Addl. Sessions Judge-XI, Begusarai
DATE OF JUDGMENT: 29.06.2026

Session Trial No.	- 219 of 2025
General Register No.	- 399 of 2024
Mufassil P.S. Case No.	- 58 of 2024

However, in Cross-examination on behalf of the accused, he states that during the entire investigation, he has not seized any material evidence of this case from the accused Sujeet Kumar. He did not find any eyewitness evidence regarding the accused Sujeet Kumar during the entire investigation. He did not arrest accused Sujeet Kumar in this case. He took a confessional statement from accused Sujeet Kumar in this case. He did not take accused Sujeet Kumar on police remand. He didn't go to jail to interrogate him. He had no acquaintance with him. He didn't take the witness in this case, with whom the incident took place, to the identification parade to identify Sujeet Kumar. It is not the case that he did not find any evidence against the accused Sujeet Kumar and his research is flawed.

ARGUMENT BY THE PARTIES.

9. The Learned Defence lawyer has argued that the accused person is innocent and has been falsely implicated in this case. He has submitted that none of the witnesses including the informant has supported the case of prosecution with respect to the identity of the accused person. In the end he has argued that the prosecution has not adduced cogent, consistent and sufficient evidence against the accused person to prove its case including the charges framed against the accused person and he deserves acquittal.

On the other side the APP has not been able to controvert the argument of defence lawyer.

COURT OF ADDITIONAL DISTRICT & SESSIONS JUDGE-XI
CIVIL COURT, BEGUSARAI, BIHAR

PRESENT : Manoj Kumar-V
District & Addl. Sessions Judge-XI, Begusarai
DATE OF JUDGMENT: 29.06.2026

Session Trial No.	- 219 of 2025
General Register No.	- 399 of 2024
Mufassil P.S. Case No.	- 58 of 2024

DISCUSSION AND APPRECIATION OF EVIDENCE

10. Now this court will endeavor to discuss the evidence brought forth by the prosecution in the present case and upon perusal of the evidence on record, it shows that all five charge-sheeted witnesses have been examined. The court upon going through the evidence of the prosecution witnesses, minutely scrutinize the evidence available on the record on the touchstone of principle of evidence and in course of that firstly informant, Satish Mahto(PW-01) evidence is perused, who deposed on the lines of prosecution case and supports the occurrence and manner of occurrence, time and place of the occurrence, save and except the identity of the accused persons and further in course of his examination-in-chief, states that since the accused persons have covered their faces so he could not recognize them and also in his cross-examination, states that the accused who is standing in the dock was not the person who was involved in the occurrence and further says since the accused have covered their faces, so he could not recognize them, similarly the other witness, Ranjit Kumar (PW-02), who is a hearsay witness and states about the incident on the same line as informed by his father, however, in his cross-examination, states that he is not an eye witness. Similarly, Rohit Raj Shiva(PW03), who is a hearsay witness and further states that somebody informed him on the phone no. of his residence about the occurrence, thereafter, he along with father went to the police station and gave the written application which is in the handwriting of his brother Ranjit Kumar. Further, he states that till today, mobile and bike have not been recovered. Further, states that it is not known to him that how the

COURT OF ADDITIONAL DISTRICT & SESSIONS JUDGE-XI
CIVIL COURT, BEGUSARAI, BIHAR

PRESENT : Manoj Kumar-V
District & Addl. Sessions Judge-XI, Begusarai
DATE OF JUDGMENT: 29.06.2026

Session Trial No.	- 219 of 2025
General Register No.	- 399 of 2024
Mufassil P.S. Case No.	- 58 of 2024

administration has made accused to the person facing trial in this case, but, further says that he later on became aware that Niraj, Dhiraj and Sujeet were made accused in this case. He doesn't recognize the accused person present in the court because he was not present at the place of occurrence and also in his cross-examination, he states that he is not an eye witness of the case. Similarly, Prakash Mahto(PW04) states in his examination-in-chief that he became aware of the occurrence from his brother. However, in his cross-examination, he states that he is not an eye-witness of this case. Further, the PW-05 is the I.O. of the case, he has done the investigation of the case and recorded the confessional statement of the accused persons and on the basis of confessional statement, recovery of the looted articles has been made from the conscious possession of some of the accused persons and has submitted the charge-sheet, but so far as this accused person who is facing trial in this case is concerned the witness in course of cross-examination, states that nothing has been recovered from the conscious possession of Sujeet Kumar and neither got any direct evidence against him and also he has never been arrested in this case during course of investigation but, at the same time states that he has recorded the confessional statement of Sujeet Kumar. Further, he states that he has not taken Sujeet Kumar on police remand and also did not investigate from him about the occurrence while he was in Jail and he has also not conducted T.I.P. of Sujeet Kumar.

Thus, from the overall scrutiny of the evidence of the witnesses, the court finds that the prosecution did not find support to prove its case beyond shadow of reasonable doubt. The case of prosecution lacks presence of cogent and direct evidence which associates the accused

COURT OF ADDITIONAL DISTRICT & SESSIONS JUDGE-XI
CIVIL COURT, BEGUSARAI, BIHAR

PRESENT : Manoj Kumar-V

District & Addl. Sessions Judge-XI, Begusarai

DATE OF JUDGMENT: 29.06.2026

Session Trial No.	- 219 of 2025
General Register No.	- 399 of 2024
Mufassil P.S. Case No.	- 58 of 2024

persons in connection with charges framed against them beyond reasonable doubt and with certainty. Moreover, the prime witness informant and other witnesses did not support the case of prosecution with respect to identity of accused. In spite of prosecution establishing the fact of incident being committed by accused person, but due to faulty investigation and contradiction in the evidence of I.O. with respect to recording of confessional statement of accused Sujeet Kumar. The perusal of record shows that as if Sujeet Kumar was not arrested by I.O. then how it is possible for I.O. to record his confessional statement. Moreover, he was neither taken on police remand nor conducted TIP and also I.O. never went to jail to make investigation from accused with respect to the occurrence. So, the statement of I.O. with respect to involvement of this accused person becomes doubtful and thus prosecution case could not be established beyond reasonable doubt with respect to involvement of accused person facing trial in this case. So, in the event of identity of the accused person not established in connection with the offence, the prosecution case becomes doubtful so far as involvement of accused person is concerned. Thus, keeping in mind, the cardinal principle of criminal law, in the event of doubt, the benefit must be given to the accused person.

11. Because of what have been discussed above, this Court finds no cogent, consistent and sufficient evidence to record a finding of conviction against the accused person. Owing to the aforesaid facts and circumstances, I am constrained to hold that the prosecution has not been able to prove his case against accused person in the light of charges framed against him beyond the shadow of all the reasonable

COURT OF ADDITIONAL DISTRICT & SESSIONS JUDGE-XI
CIVIL COURT, BEGUSARAI, BIHAR

PRESENT : Manoj Kumar-V
District & Addl. Sessions Judge-XI, Begusarai
DATE OF JUDGMENT: 29.06.2026

Session Trial No. - 219 of 2025
General Register No. - 399 of 2024
Mufassil P.S. Case No. - 58 of 2024

doubts and in consequence accused person is acquitted of the charges levelled and framed against him. In result, the accused person namely Sujeet Kumar @ Sarkar is thus found and held not guilty for the offence punishable under sections- 395 & 411 of IPC.

12. That accused person namely Sujeet Kumar @ Sarkar is acquitted of the charges U/s- 395 & 411 of IPC and since the accused person is in custody so the office clerk is directed to issue his release order at once and sent it to District Jail, Begusarai for needful.

(The Judgment is Dictated, Corrected, Sealed and Signed by Me).

Checked and verified	Written and pronounced
Sd/-	Sd/-
Distt. & Addl. Sessions Judge-XI, Begusarai	Distt. & Addl. Sessions Judge-XI, Begusarai
Dated:- 29.06.2026	Dated:-29.06.2026

Date of Judgment	29.06.2026
Date of Reserving Judgment	NA
Uploading Date	
Uploaded by	