

Form No.(M) 34 to
Form No.(M) 36 respectively

Form A

IN THE COURT OF THE
ADDITIONAL CHIEF JUDICIAL MAGISTRATE,
JHARGRAM

Present : Aminur Rahaman
(J.O. Code No. WB01227)
Additional Chief Judicial Magistrate, Jhargram

Date of such Judgment:- 18-04-2026
Case No : GR. Case No: 598 of 2023
CIS Registration No. G.R. 822 of 2024
T.R. 411 of 2024
CNR No. WBWM07-004063-2024

Ref:- Sankrail P.S. Case No. 45 of 2023 dated 26-06-2023

(under Sections 341,323, 354B and 506 read with
Section 34 of the Indian Penal Code)

Complainant	STATE OF WEST BENGAL
REPRESENTED BY	NAME OF THE ADVOCATE - Mr. Prabitra Rana (Learned APP)
ACCUSED	1. Sukumar Mahata 2. Subhankar Mahata
REPRESENTED BY	NAME OF THE ADVOCATE - Learned Advocate Mr. Archisman Sinha

Form B

Date of Offence	25-06-2023
Date of FIR	26-06-2023
Date of Charge sheet	30-09-2023
Date of Farming of charge	14-05-2023
Date of commencement of Evidence	18-04-2026
Date on which judgment is reserved	N.A
Date of the judgment	18-04-2026
Date of the Sentencing Order, if any	N.A

Accused Details:

Ran k of the acc use d	Rank and Name of accused	Date of arrest	Date of release on Bail	Offences charged with	Whether acquitted or convicted	Sentence imposed	Period of Detention Undergone during Trial for purpose of Section 428, Cr.P.C.
A-1	Sukuma r Mahata	Nil	Surrendere d & Enlarged on bail on 27-09-2023	Sections 341, 323, 354B and 506 and read with 34 of the IPC	Acquitted	No	No
A-2	Subhan kar Mahata	Nil	Surrendere d & Enlarged on bail on 27-09-2023	Sections 341, 323, 354B and 506 and read with 34 of the IPC	Acquitted	No	No

Form C
LIST OF PROSECUTION/DEFENCE/COURT
WITNESSES

A. Prosecution

RANK	NAME	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
PW 1	Banalata Sau	Defacto-complainant
PW-2	Badal Sau	Witness
PW-3	Adhir Mahata	Witness

B. Defence Witnesses, if any:-

RANK	NAME	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
DW 1	NIL	NIL

C. Court Witnesses, if any:

Rank	Name	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
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CW 1	NIL	NIL
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**LIST OF PROSECUTION/DEFENCE/COURT
EXHIBITS**

A. Prosecution

Sr. No.	Exhibit Number	Description
1.	P-1	Signature of PW-1 on written complaint

B. Defence:

Sr. No.	Exhibit Number	Description
1	NIL	NIL

C. Court Exhibits:

Sr. No.	Exhibit Number	Description
1	NIL	NIL

D. Material Objects:

Sr. No.	Material Object Number	Description
1	NIL	NIL

J U D G M E N T
FACTUAL ASPECTS:

Srimati Banalata Sau, wife of Sri Badal Sau, is a permanent resident of Tungadua Village under Sankrail Police Station in Jhargram district. She is a candidate of the Trinamool Congress (TMC) from

Pathra-I booth. On 25-06-2023, at around 6:00 PM, while the complainant was traveling to Bhurkundi village for organizational campaigning, she was intercepted near the entrance of the village in front of Kaju Bagan. She alleged that two individuals from her own village, namely Sukumar Mahata, son of Late Manindra Mahata, and Subhankar Mahata, son of Khagendra Nath Mahata, launched a sudden attack on her. The accused men physically assaulted her. When she tried to resist, they pulled and tore her saree and blouse, thereby outraging her modesty. She further alleged that they attempted to strangle her. Upon hearing her screams for help, residents from Bhurkundi and Tungadua villages rushed to the spot. At that point, the accused fled the area while issuing death threats against her.

THE INVESTIGATION:

Based on this information, Sankrail Police Station Case No. 45 of 2023 dated 26-06-2023 was registered. After investigation, a charge sheet was submitted against the accused persons under Sections 341, 323, 354B, 506 read with Section 34 of the IPC.

THE CHARGE: -

On 14-05-2025, charges were framed against the accused persons under Sections 341, 323, 354B, 506, read with Section 34 of the IPC. Since the accused persons pleaded not guilty, the trial commenced.

EVIDENCE ON RECORD:

The prosecution, in order to substantiate the above charges, examined the following witnesses:

Witnesses of the Prosecution

Rank	Name	Type
PW 1	Banalata Sau	Defacto-complainant
PW-2	Badal Sau	Witness
PW-3	Adhir Mahata	Witness

Documents Exhibited

Sr. No.	Exhibit Number	Description
1	P-1	Signature of PW-1 on the written complaint

Upon completion of the prosecution case, the accused persons were duly examined under Section 313 Cr.P.C., wherein specific questions were put to them. They claimed innocence and declined to examine any defence witnesses.

Thus, the case was closed. Arguments were heard from both sides.

POINTS FOR CONSIDERATION

- 1.) Have the accused persons committed the offenses alleged against them?
- 2.) Has the prosecution proved the case beyond any reasonable doubt?

DECISION WITH REASONS

POINTS NOS. 1 and 2: Both these points are taken up together for discussion, for the sake of convenience and brevity, and to avoid unnecessary repetition.

ORAL EVIDENCE ON RECORD:

PW-1, Banalata Sau (Complainant), stated in her examination-in-chief that the incident took place in the year 2023. During the hot altercation, she suddenly fell down and sustained injuries. She proved her signature on the written complaint. In her cross-examination, she admitted that she had lodged the complaint as per the instructions of the villagers. She further categorically stated that the accused persons had no nexus with the injuries sustained by her.

PW-2, Badal Sau, deposed that he knows the complainant as his wife. He heard about the incident but was not present at the time of occurrence.

PW-3, Adhir Mahata, deposed that he knows the complainant. He further stated that he had no knowledge about the incident.

Analysis of the Evidence:

The prosecution has built its entire case on the testimony of PW-1, Banalata Sau, who is the de facto complainant and the only alleged eyewitness to the incident.

However, a careful scrutiny of her evidence reveals that it does not inspire confidence. In her cross-examination, PW-1 herself admitted that she lodged the complaint at the instance of the villagers and further categorically stated that the accused persons had no connection with the injuries sustained by her. PW-2 (Badal Sau), the husband of the complainant,

was not an eyewitness and merely stated that he had heard about the incident. PW-3 (Adhir Mahata) admitted having no knowledge whatsoever about the occurrence.

Thus, there is no reliable direct evidence, nor is there any cogent circumstantial evidence on record to connect the accused with the alleged offence. The prosecution has miserably failed to prove its case beyond reasonable doubt.

In view of the above, the accusations made against the accused persons remain wholly unsubstantiated. The prosecution has not been able to establish the guilt of the accused. Accordingly, the accused persons are entitled to acquittal.

DECISION: -

From the evidence presented, it is evident that the prosecution has failed to establish the guilt of the accused beyond a reasonable doubt. The absence of independent witnesses, lack of medical evidence, and contradictions in the complainant's testimony raise serious doubts about the veracity of the allegations. Consequently, the accused are entitled to the benefit of the doubt.

Hence, it is

O R D E R E D

that the accused person, namely Sukumar Mahata and Subhankar Mahata are found not guilty of the offenses punishable under Sections 341, 323, 354B,

506 read with Section 34 of the Indian Penal Code and are acquitted from the charges of this case under Section 248(1) Cr. P.C.

Let the accused persons be released at once and be discharged from their bail bond.

Let the copy of this judgment be forwarded to the District Magistrate, Jhargram and to the learned Secretary, DLSA, Jhargram for information.

Note in the Register.

Dictated and corrected by me.

(AMINUR RAHAMAN)
ACJM,
Jhargarm.

(AMINUR RAHAMAN)
Additional Chief Judicial Magistrate
Jhargarm
(J.O. Code No. WB01227)

G.R. Case No.:- 598 of 2023

CIS Reg. No.:- 822 of 2024

Order Date:- 18-04-2026

Today is fixed for evidence.

Both the accused persons namely, Sukumar Mahata and Subhankar Mahata are on Court Bail are present today before this Court by filing hazira along with their learned Advocate. Learned A.P.P. is also present.

Accordingly, the case record is taken up for evidence.

Three charge-sheeted witnesses namely, Balanata Shaw (Defacto Complainant), Badal Shaw and Adhir Mahata are present before this Court. They are examined on dock as PW-1 to PW-3, duly cross-examined by the learned defense counsel and discharged.

Learned Advocate for the accused persons verbally submits for closure of evidence. Learned A.P.P. raises no objection.

Accordingly, evidence is closed and the case record is taken up for examination of the accused person under Section 313 of Cr.P.C.

The accused persons are examined under Section 313 of Cr.P.C. During course of their examination, they stated that they are not interested to adduce any evidence of DW in this case. The evidence hereby stands closed.

The learned Advocate for the accused person as well as the learned APP advance their respective argument.

The record is taken up for passing Judgment.

Judgment is recorded in 09 separate pages and delivered in open court.

The judgment recorded in 09 separate pages do form part of this record.

Hence, it is

ORDERED

that the accused person, namely Sukumar Mahata and Subhankar Mahata are found not guilty of the offenses punishable under Sections 341, 323, 354B, 506 read with Section 34 of the Indian Penal Code and are acquitted from the charges of this case under Section 248(1) Cr. P.C.

Let the accused persons be released at once and be discharged from their bail bond.

Let the copy of this judgment be forwarded to the District Magistrate, Jhargram and to the learned Secretary, DLSA, Jhargram for information.

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