

FORM-A

IN THE COURT OF THE SUB-DIVISIONAL JUDICIAL MAGISTRATE, ATHMALLIK, DISTRICT- ANGUL Present: Smt. Sinkun Ray, LL.M. JO Code No.-OD-0725, S.D.J.M, Athmallik. <u>Dated the 6th day of July, 2026</u> <u>G.R. Case No. 306/2020</u> <u>T.R. No.76/2022</u> (Arising Out of Handapa PS Case No.95 dated 16.05.2020) U/s.323/341/354-B/385/427/34 of Indian Penal Code, 1860	
Complainant	State of Odisha
Represented by	Shri P. Menduli, APP Shri G.S. Behera, APP
Accused person(s)	(A-1)Nagen Sahu, aged about 33 years, S/O-Gadadhara Sahu, (A-2)Sukru Sahu, aged about 52 years, S/O-Lambadhara Sahu, (A-3)Rasananda Sahu, aged about 55 years, S/O-Laxman Sahu, (A-4)Naresh Sahu, aged about 46 years, S/O-Laxman Sahu,

	(A-5)Mrutyunjaya Sahu @ Sibhu Sahu, aged about 32 years, S/O-Late Madan Sahu, (A-6)Samir Sahu, aged about 29 years, S/O-Sudhakar Sahu, (A-7)Gajendra Dehury, aged about 30 years, S/O-Gurubaria Dehury, (A-8)Madan Sethi, aged about 28 years, S/O-Late Malia Sethi, (A-9)Durlava Sahu, aged about 35 years, D/O-Duryodhan Sahu, (A-10)Srinibas Sahu, aged about 60 years, S/O-Arjana Sahu, (A-11)Prasanta Sahu, aged about 41 years, S/O-Sahadev Sahu, (A-12)Kubera Sahu, aged about 29 years, S/O-Brajabandhu Sahu, (A-13)Padmacharan Sahu, aged about 65 years, S/O-Budhu Sahu, (A-14)Bijaya Sahu, aged about 40 years, S/O-Lambodhara Sahu, (A-15)Sushila Sahu, aged about 45 years, S/O-Sahadev Sahu, (A-16)Kailash Sahu, aged about 73 years, S/O-Madhusudan Sahu, (A-17)Amar Kumar Sahu, aged
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	about 46 years, S/O-Bhajirathi Sahu, (A-18)Kishari Sethi, aged about 50 years, S/O-Meghu Sethi, (A-19)Dhruba Charan Sahu, aged about 64 years, S/O-Ekadashia Sahu, (A-20)Gopabandhu Sahu, aged about 49 years, S/O-Tilu Sahu, (A-21)Swadhin Sahu, aged about 39 years, S/O-Gobardhan Sahu, All are of Vill-Khandabara, PS-Handapa, Dist.- Angul
Represented by	Sri A.K. Pradhan & Associates, Adv. Athmallik

FORM-B

Date of offence	15.05.2020
Date of FIR	16.05.2020
Date of Charge Sheet	10.07.2020
Date of framing of charge	23.09.2024
Date of commencement of evidence	07.04.2025
Date on which Judgment is reserved	06.07.2026
Date of the Judgment	06.07.2026
Date of the Sentencing Order, if any	NA

Accused Details							
Rank of the accused	Name of the accused	Date of Arrest	Date of Release on Bail	Offences charged with	Whether Acquitted or Convicted	Sentence imposed	Period of Detention undergone during Trial for purpose of section 428 Cr.P.C.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
01	Nagen Sahu	Notice U/s.41(A) Cr.P.C. was issued on 17.06.2020	13.11.2020	U/s.323/341 /354/427/34 of IPC	Acquitted	NA	NA
02	Sukru Sahu	-Do-	-Do-	-Do-	-Do-	-Do-	-Do-
03	Rasananda Sahu	-Do-	-Do-	-Do-	-Do-	-Do-	-Do-
04	Naresh Sahu	-Do-	-Do-	-Do-	-Do-	-Do-	-Do-
05	Mrutyunjaya Sahoo @ Sibua Sahu	-Do-	-Do-	-Do-	-Do-	-Do-	-Do-
06	Samir Sahu	-Do-	-Do-	-Do-	-Do-	-Do-	-Do-
07	Gajendra Dehury	-Do-	-Do-	-Do-	-Do-	-Do-	-Do-
08	Madan Sethi	-Do-	-Do-	-Do-	-Do-	-Do-	-Do-
09	Durlava Sahu	-Do-	-Do-	-Do-	-Do-	-Do-	-Do-

10	Srinibas Sahu	-Do-	-Do-	-Do-	-Do-	-Do-	-Do-
11	Prasanta Sahu	-Do-	-Do-	-Do-	-Do-	-Do-	-Do-
12	Kubera Sahu	-Do-	-Do-	-Do-	-Do-	-Do-	-Do-
13	Padma Charan Sahu	-Do-	-Do-	-Do-	-Do-	-Do-	-Do-
14	Bijaya Sahu	-Do-	-Do-	-Do-	-Do-	-Do-	-Do-
15	Sushila Sahu	-Do-	-Do-	-Do-	-Do-	-Do-	-Do-
16	Kailash Sahu	-Do-	-Do-	-Do-	-Do-	-Do-	-Do-
17	Amar Kumar Sahu	-Do-	-Do-	-Do-	-Do-	-Do-	-Do-
18	Kishari Sethi	-Do-	-Do-	-Do-	-Do-	-Do-	-Do-
19	Dhrubachap Sahu	-Do-	-Do-	-Do-	-Do-	-Do-	-Do-
20	Gopabandhu Sahu	-Do-	-Do-	-Do-	-Do-	-Do-	-Do-
21	Swadhin Sahu	-Do-	-Do-	-Do-	-Do-	-Do-	-Do-

JUDGEMENT

1. The above named accused persons stand charged for commission of offences punishable U/s. 323/341/354/385/427/34 of the Indian Penal Code in short I.P.C. for voluntarily causing hurt, for wrongfully restraining, for assaulting or using criminal force to any woman intending to outrage her modesty, for attempting to commit extortion by putting someone in fear of injury and for committing house-trespass in furtherance of their common intention.

2. The brief facts of the prosecution case as per the FIR is that on 16.05.2020 at 2.30 AM one Jayanti Pradhan, W/O-Late Jagannath Pradhan of Vill-Jamunali, P.S.-Handapa, District-Angul lodged a written report before the IIC of P.S.- Handapa, District-Angul alleging therein that the accused persons namely Nagen Sahu, Sukru Sahu, Rasananda Sahu, Naresh Sahu, Mrutyunjaya Sahu @ Sibu Sahu, Samir Sahu, Gajendra Dehury, Madan Sethi, Durlava Sahu, Srinibas Sahu, Prasanta Sahu, Kubera Sahu, Padmacharan Sahu, Bijaya Sahu, Sushila Sahu, Kailash Sahu, Amar Kumar Sahu, Kishari Sethi, Dhrubachap Sahu, Gopabandhu Sahu and Swadhin Sahu had boycotted one Kamalalochan and fixed a fine of Rs.1,000/- on anyone who talked with him. On 15.05.2020 at around 10.30 PM the accused persons assaulted Kamalalochan

Pradhan by entering into his house. They also disrobed the informant and Lata Sahu and damaged their household articles. The accused persons tried to set fire on them by pouring kerosene. In the meanwhile, finding no other way Kamalalochan Pradhan telephoned the in-charge of Boinda O.P. As per the FIR one Girish Sahoo had seen the incident.

Basing on this written report, I.I.C. of Handapa Police Station registered Handapa PS Case No. 95 dated 16.05.2020, U/s. 323/341/354/385/427/34 of Indian Penal Code and directed ASI Sanatan Maharana to take up the investigation of the case.

During the course of investigation, the I.O. examined the informant and other witness, visited the spot, sent the injured for medical examination, prepared spot-map, and on completion of investigation, he submitted charge-sheet u/s. 323/341/354/385/427/34 of Indian Penal Code against the accused person to face their trial in the Court of law.

Cognizance of offences punishable under Sections 323/341/354/385/427/34 of I.P.C. was taken and then charge was framed against the present accused persons.

3. The plea of the accused persons is of complete denial and false implication.

4. The points for determination in this case are as follows:-
- i. Whether on 15.05.2020 at around 10.30 PM at village Khandabar, the accused persons in furtherance of their common intention had abused the informant and her family members in obscene language in or near a public place thereby causing annoyance to her and others?
 - ii. Whether on the above mentioned date, time and place, the accused persons in furtherance of their common intention had voluntarily caused hurt to the informant and her family members?
 - iii. Whether on the above mentioned date, time and place, the accused persons in furtherance of their common intention had wrongfully restrained the informant and her family members?
 - iv. Whether on the above mentioned date, time and place, the accused persons in furtherance of their common intention had assaulted or used criminal force to the informant intending to outrage her modesty?

- v. Whether on the above mentioned date, time and place, the accused persons in furtherance of their common intention had committed house-trespass?
- vi. Whether on the above mentioned date, time and place, the accused persons in furtherance of their common intention committed criminal intimidation by threatening the informant with injury to her person with intent to cause alarm to the said person?

5. In order to prove its case, prosecution has examined 4 witnesses out of which P.W.1 is the informant and P.Ws.2 & 3 are the victims and P.W.4 is the independent witness in this case. Further, the prosecution has marked 2 exhibits on its behalf i.e., Ext.P-1 to P-1/a. Defence has examined none in support of its plea of denial.

6. I have heard the learned APP, learned defence counsel and examined the evidence on record meticulously.

7. PW1 i.e., the informant, stated in her evidence that in the year 2020 on a certain day at around 9 PM the incident took place near her house. On that day due to some trivial misunderstanding the accused persons abused them. There was a push and pull between them. There was a push and pull between them. Therefore,

she had lodged FIR at Boinda OP. She proved the FIR as Ext.P-1/PW1 and Ext.P-1/a/PW1 as her signature thereon.

8. P.Ws.2 & 3 are the brother and sister of the informant respectively. They stated in his evidence that in the year 2020 on a certain day at around 9 PM the incident took place near their house. On that day due to some trivial misunderstanding accused persons quarreled with them and their family members. There was a push and pull between them. Therefore, their sister had lodged FIR at Boinda OP. P.W.4 expressed his ignorance regarding the facts of this case.

9. On perusal of the material available on record and the evidences put forth before the court, it is found that PW1 has not supported the case of the prosecution. PW1 also did not corroborate with the FIR i.e., Ext.P-1/PW1. P.Ws. 2 & 3 also did not support the prosecution story. Rather, they stated that due to trivial misunderstanding there was a push and pull between them and the accused persons. The only incriminating material against the accused persons is the FIR, but the same cannot be a ground for holding the accused persons guilty, as the same can only be used for contradiction or corroboration. Hence, considering the above facts and circumstances, this court is of the

opinion that the prosecution has failed to prove its case beyond reasonable doubt.

10. On the basis of the above analysis and in the result, this Court holds the view that the accused persons namely Nagen Sahu, Sukru Sahu, Rasananda Sahu, Naresh Sahu, Mrutyunjaya Sahu @ Sibhu Sahu, Samir Sahu, Gajendra Dehury, Madan Sethi, Durlava Sahu, Srinibas Sahu, Prasanta Sahu, Kubera Sahu, Padmacharan Sahu, Bijaya Sahu, Sushila Sahu, Kailash Sahu, Amar Kumar Sahu, Kishari Sethi, Dhruba Charan Sahu, Gopabandhu Sahu and Swadhin Sahu are not guilty of the offences punishable U/s. 323/341/354-B/427/34 of I.P.C. and they are acquitted as per sec. 248(1) of Cr.P.C. They be set at liberty forthwith being discharged from their bail bonds furnished prior to the conduct of trial.

As there is no seizure no order as to disposal of property has been made.

Enter this case as a “mistake of fact” for statistical purpose.

Sd/-
S.D.J.M., Athmallik

Transcribed to my dictation, corrected and pronounced by me in the open Court today on 6th

day of July, 2026 given under my hand and seal of this court.

Sd/-
S.D.J.M., Athmallik

Form-C

LIST OF PROSECUTION/DEFENCE/COURT WITNESSES		
A. Prosecution Witnesses		
Rank	Name	Nature of Evidence Eye witness, Police witness, expert witness, medical witness, Panch witness and other witness
PW 1	Jayanti Pradhan	Informant
PW 2	Kamala Lochan Pradhan	Independent witness
PW 3	Lata Sahu	Independent witness
PW 4	Khirood Pradhan	Independent witness
B. Defence witnesses, if any:		
Rank	Name	Nature of evidence, Eye witness, police witness, expert witness, medical witness, Panch witness

		and other witness
Nil	Nil	Nil
C. Court witnesses, if any:		
Rank	Name	Nature of evidence, Eye witness, police witness, expert witness, medical witness, Panch witness and other witness
Nil	Nil	Nil
LIST OF PROSECUTION/DEFENCE/ COURT EXHIBITS		
A. Prosecution Exhibits		
Sl. No.	Exhibit Number	Description
1	Ext.P-1/PW1	FIR
2	Ext.P-1/a/PW1	Signature of PW1 on Ext.P-1
B. Defence Exhibits, if any:		
Sl. No.	Exhibit Number	Description
Nil	Nil	Nil
C. Court Exhibits, if any:		
Sl. No.	Exhibit Number	Description
Nil	Nil	Nil

D. Material Objects:		
Sl. No.	Material Object Number	Description
Nil	Nil	Nil

Sd/-
S.D.J.M., Athmallik