

IN THE COURT OF SESSIONS JUDGE, AZAMGARH

PRESENT: JAI PRAKASH PANDEY, H.J.S.

S.T. No. 1333 of 2025

State vs. **Shailendra Kumar Nigam @ Mantu & 1 Anr.**

Case Crime No.- 439/2025

U/Ss.- 109(1)/3(5), 351(3), 352B.N.S. & 3/25 A.Act.

P. S.- Sidhari, District- Azamgarh.

CHARGE

I, **Jai Prakash Pandey**, Sessions Judge, Azamgarh, hereby charge both of you **Shailendra Kumar Nigam @ Mantu** and **Raja Nigam @ Shugam Nigam** as follows:

1- That on 25.09.2025, at about 18.55PM, at the road behind the Dental Collage Itaura, within the limits of P.S. Sidhari, District Azamgarh, you both fired on the police party with their country made pistols with an intention to kill them, i.e. you both did an act with such intention or knowledge and such circumstances that if by that act you both had caused death of police party, you both would be guilty of murder and thereby you both have committed an offence punishable under **Section 109(1) BNS read with Section 3(5) BNS** and within the cognizance of this Court.

2- That on the aforesaid date, time and place, you both insulted the police person knowing it to be likely that such provocation will cause them to break the public peace, and thereby you both have committed an offence punishable under **Section 352 B.N.S.** and within the cognizance of this Court.

3- That on the aforesaid date, time and place, you both gave criminal intimidation to the police personnel and thereby you both have committed an offence punishable under **Section 351(3) B.N.S.,** and within the cognizance of this Court.

4- That on the aforesaid date, time and place, you both were arrested by the police party and two Tamancha (315 bore) and four empty cartridge(315 bore) were recovered from your possession, for which you both did not hold a license under the provisions of Arms Act and the same was used by you both in aforesaid crime and thereby you both have committed an offence punishable under **Section 3/25 Arms Act,** and within the cognizance of this Court.

And I hereby direct that you both be tried by this Court on the said charge.

Dated: 19.03.2026

(Jai Prakash Pandey)

Sessions Judge,
Azamgarh.

Charge read over and explained to the accused persons in Hindi to which they pleaded not guilty and claimed to be tried.

Dated: 19.03.2026

(Jai Prakash Pandey)

Sessions Judge,
Azamgarh.

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ORDER

Case called out. Accused persons namely **Shailendra Kumar Nigam @ Mantu** and **Raja Nigam @ Shugam Nigam** are present under judicial custody.

Learned D.G.C. (Crl.) for prosecution opened its case by describing the charge brought against the accused persons and stating by what evidence he proposes to prove the guilt of the accused persons.

Learned counsels for the accused persons has submitted that no prima facie case has been made against accused persons. There is no material against the accused persons.

Heard learned counsel for the parties and perused the record.

Upon consideration of the arguments of the learned counsels and perusal of the records, I am of the opinion that prima facie offence under sections 109(1)/3(5), 351(3), 352B.N.S. & 3/25 A.Act. is made out against the accused persons namely Shailendra Kumar Nigam @ Mantu and Raja Nigam @ Shugam Nigam at this stage and there is sufficient evidence collected by the prosecution to prove its case.

On the basis of the above facts and circumstances, I am of the view that charge for the offence under section 109(1)/3(5), 351(3), 352B.N.S. & 3/25 A.Act. to be framed against the accused persons namely Shailendra Kumar Nigam @ Mantu and Raja Nigam @ Shugam Nigam.

Consequently, you all are being charged for the aforesaid offence. Put up on **02.04.2026** evidence. Summon the witnesses.

Dated: 19.03.2026

(Jai Prakash Pandey)

Sessions Judge,
Azamgarh.