

ASKJ040075642024



ORDER SHEET

COURT OF: Judicial Magistrate First Class II, Sribhumi

PRESENT: - Smti. Jaya Sharma, AJS.

GR 314/2019: PRC 3296/2024

SL. No	Date	Order	Signature of Court	Office action taken
1	2	3	4	5
	29.07.2024 6	Today is fixed for evidence. Accused persons are present. Seen and perused the case record. One prosecution witness is present. She is examined, cross-examined and discharged as PW-1. In view of the fact that the material prosecution witness, who is the informant cum victim, have failed to corroborate the prosecution's case, and brought absolutely no incriminating material on record against the accused persons, this Court deems it a futile exercise to drag out the trial. Concluding that the examination of any remaining official or formal witnesses would serve no useful purpose and would have no bearing on the ultimate fate of the case, the prosecution evidence stands closed. In absence of any incriminating material against the accused persons, their examination u/S 313 Cr.P.C. is dispensed with. Defence side wished not to		

	29.07.2022 6	adduce evidence. Heard Arguments advanced by both sides. Defence side argued that the accused are innocent and have been falsely implicated in the case. Since, there is no incriminating material, they deserves to be acquitted. Judgment shall be pronounced in the afternoon. <u>Later on at about 3 PM:</u> Judgment is ready and pronounced in open Court. Considering the facts and circumstances of the case, it is found that the prosecution failed to prove the ingredients of offence punishable u/S 448/294/34 IPC, beyond all reasonable doubt. Hence, the accused persons Siraj Uddin, and Joynul Islam are acquitted and I therefore, exonerate the accused from the offence punishable u/S 448/294/34 IPC, setting them at liberty, if not required in any other case. The PR bond shall remain in force for the next six months from today. The seized articles, if any, may be disposed of in accordance with law. The case is accordingly disposed of. <i>Judl. Magistrate 1st Class (II)</i> <i>Eitbhami</i> <i>29.7.26</i> <i>Judl. Magistrate 1st Class (II)</i> <i>Eitbhami</i>	
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