

FORM-A**IN THE COURT OF THE ADDITIONAL SESSIONS JUDGE,
BHANJANAGAR, DISTRICT: GANJAM.**

Present: Shaikh Md. Quais, M.A., LL.M.,
Addl. Sessions Judge, Bhanjanagar,
Dist.Ganjam.

JO Code No: OD-0300

Dated the 11th day of August, 2026

CASE No.ST.233 of 2025

(Arising out of GR.325/2025, corresponding to Buguda PS case
no.338/2025 committed by the learned JMFC, Buguda.)

COMPLAINANT	STATE OF ODISHA
REPRESENTED BY	Ms. Dipanjali Mahapatra, Addl.PP. and Sri Ushakanta Pattnaik, Addl.PP.
ACCUSED PERSONS	1.Bighnesh Kar, aged about 36 years, S/o.Late Harekrushna Kar of Vill.Balipadar, Bellaguntha Road, PS.Buguda, Dist.Ganjam. 2.Tapaswini Panda, aged about 28 years, W/o.Bighnesh Kar, of Vill.Balipadar, Bellaguntha Road, PS.Buguda, Dist.Ganjam. 3.Rajkumar Panda, aged about 40 years, S/o.Simanchal Panda, of Vill.Balipadar, PS.Buguda, Dist.Ganjam. 4.Laxmi Narayan Panda @ Kuni Panda, aged about 46 years, S/o.Simanchal Panda, of Vill.Balipadar, PS.Buguda, Dist.Ganjam.
REPRESENTED BY	Sri A.B. Khadanga and Associates, Advocates.

FORM-B

Date of Offence	21.05.2025
Date of FIR	21.05.2025
Date of Charge sheet	31.10.2025
Date of Framing of Charges	03.02.2026
Date of commencement of evidence	05.08.2026
Date on which judgment is reserved	06.08.2026
Date of the judgment	11.08.2026
Date of the Sentencing Order, if any	N.A

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.PC
1.	Bighnesh Kar	22.05.2025	09.06.2025	U/s.296/115(2)/351(2)/109(1)/74/118(1)/3(5) BNS.	Acquitted	Nil	N.A.
2.	Tapaswini Panda	22.05.2025	09.06.2025	U/s.296/115(2)/351(2)/109(1)/74/118(1)/3(5) BNS.	Acquitted	Nil	N.A.
3.	Rajkumar Panda	Surrendered and released on anticipatory bail on 26.09.2025		U/s.296/115(2)/351(2)/109(1)/74/118(1)/3(5) BNS.	Acquitted	Nil	N.A.
4.	Laxmi Narayan Panda @ Kuni Panda	Surrendered and released on anticipatory bail on 26.09.2025		U/s.296/115(2)/351(2)/109(1)/74/118(1)/3(5) BNS.	Acquitted	Nil	N.A.

J U D G M E N T

The accused persons stand charged for offences punishable U/s.296/115(2)/351(2)/109(1)/74/118(1)/3(5) of Indian Penal Code.

2. The case of the prosecution in short, runs as hereunder:

On 21.05.2025 at 11.31 PM the informant Sesadeba Kar appeared at Buguda PS and presented a written report to the effect that on the same day at about 1.15 PM when he and his mother Jayanti Kar along with his sister Dibyabharati Panigrahi visited to his own house Belaguntha Road, Balipadar, the present accused persons Kuni Panda and Raja Panda along with one Sabitri Tripathy and Mamali Panda abused him in obscene language and threatened to leave the house otherwise they would kill him. The accused Bighnesh Kar tried to strangulate the neck of the informant with intention to kill him. When the informant shouted for help, his mother and sister rushed to the spot. But the accused persons also assaulted them and snatched away the mangalasutra of the sister of the informant. It is further alleged that accused Tapaswini Kar bite the right leg of the sister of the informant and accused persons Kuni Panda and Raja Panda used criminal force against the sister of the informant with intent to

outrage her modesty and forced her to be naked. It is further alleged that the mother of the informant sustained injuries on her right leg and shoulder and his niece sustained cut injury on her right hand. Thereafter all the accused persons threatened the informant and his family members with dire consequences.

Basing upon the report of the informant, Buguda PS case no.338 dtd.21.05.2025 for offences U/ss.296/115(2)/351(2)/109(1)/74/303(2)/118(1)/3(5) of BNS was registered and the matter was investigated into. During investigation, the accused persons namely Bighnesh Kar and Tapaswini Panda were arrested. On completion of investigation, charge sheet U/s.296/115(2)/351(2)/109(1)/74/ 118(1)/3(5) of BNS was submitted against present accused persons to face their trial in the court of law.

The case being committed to this court by learned JMFC, Buguda, charge for the same offences was framed against the accused persons. Hence the trial.

3. Defence plea is one of complete denial of the prosecution allegations and false implication.

4. The points to be determined in this case are whether on 21.05.2025 at about 1.15 PM at Balipadar, Bellaguntha Road, the accused persons in furtherance of their common intention:-

i. Abused the informant and his family

members in obscene language in public place causing annoyance to them and others?

- ii. Voluntarily caused hurt to the informant and his mother and sister?
- iii. Criminally intimidated the informant and his mother and sister to kill them?
- iv. Assaulted the informant and his mother and sister and accused Bighnesh Kar pressed the neck of the informant, in order to kill them, causing injuries on their persons with an intention or knowledge and under such circumstances that if by that act they had caused the death of the informant and his mother and sister, they would have been guilty of murder and that they caused hurt to the informant and his mother and sister by the said act?
- v. Used criminal force and pulled the wearing apparels of the sister of the informant with intent to outrage her modesty?
- vi. Voluntarily caused grievous hurt to the informant and his mother and sister as a result they sustained bleeding injuries on their person and accused Tapaswini Panda bite the leg of the sister of the

informant for which she sustained bleeding injuries on her leg and also sustained injuries near her left eye and neck?

5. In order to prove its case, prosecution has examined three witnesses out of ten cited in the charge sheet and examination of the rest witnesses has been declined by the prosecution. PW.1 is the informant of this case. PW.2 is the sister of the informant. PW.3 is the mother of the informant. Apart from the oral evidence, the prosecution has marked only FIR vide Ext.P-1.

6. On the other hand, no oral or documentary evidence has been adduced from the side of defence.

7. PW.1, the informant has testified that about a year back due to some dispute, he had lodged FIR against the accused persons. But subsequently he has settled the dispute amicably with the accused persons at family level. On his evidence the FIR was marked vide Ext.1. On being cross-examined PW.1 deposed that he has got no allegations against the accused persons and he is residing peacefully with the accused persons. PW.2 who is the sister of the informant and PW.3 who is mother of the informant also deposed that about a year back due to some misunderstanding there was some quarrel with the accused persons and now they have settled the dispute

amicably at family level. On being cross-examined, they stated that they are residing peacefully and they have got no allegations against the accused persons.

8. From the aforesaid evidence of prosecution witnesses, it reveals that the informant (PW.1) himself has not corroborated his own FIR story. Although he deposed that there was some dispute with the accused persons but he remained silent about the occurrence. None of the witness has whispered a single word against the accused persons for their involvement in the alleged offences. Under the above circumstances, I find no iota of evidence against the accused persons and I find the prosecution has miserably failed to prove its case against the accused persons beyond all reasonable doubt.

9. In the result, I hold the accused persons not guilty of the offences punishable U/s.296/115(2)/351(2)/109(1)/74/118(1)/3(5) of BNS and acquit them therefrom U/s.258 (1) of BNSS. The accused persons be set at liberty forthwith and are discharged from their bail bonds.

Enter the case as mistake of fact.

10. No order is hereby passed relating to the disposal of the seized property, as nothing has been seized in this case.

Sd/-

Additional Sessions Judge, Bhanjanagar.

Judgment dictated to the Steno directly on computer, corrected by me and pronounced in the open Court today this the 11th day of August, 2026 under my signature and Seal of this Court.

Sd/-

Additional Sessions Judge, Bhanjanagar.

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, other witnesses)
PW.1	Sesadeb Kar	Informant
PW.2	Dibyabharati Panigrahi	Occurrence witness
PW.3	Jayanti Kar	Occurrence witness
B. Defence witnesses, if any		
Rank	Name	Nature of Evidence (Eye witness, Police Witness, Expert Witness, Medical Witness, Panch Witness, other witnesses)
--	Nil	—
C. Court witnesses, if any		

Rank	Name	Nature of Evidence (Eye witness, Police Witness, Expert Witness, Medical Witness, Panch Witness, other witnesses)
--	Nil	--
List of Prosecution/ Defence/ Court Exhibits		
A. Prosecution Exhibits		
Sl. No	Exhibit Number	Description
1	Ext.P-1/PW.1	FIR
2	Ext.P-1 ¹ /PW.1	Signature of PW.1 on FIR
B. Defence Exhibits		
Sl. No	Exhibit Number	Description
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C. Court Exhibits, if any		
Sl. No	Exhibit Number	Description
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D. Material Objects:		
Sl. No	Material Object Number	Description
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Sd/-
Additional Sessions Judge, Bhanjanagar.