

WBPU060000202003



Page No.: 1

GR Case No. 67/2003(CIS 471/2014)

IN THE COURT OF JUDICIAL MAGISTRATE 2nd COURT, RAGHUNATHPUR, PURULIA

Present: Smt. Sanjukta Bhattacharya

J.O. Code : WB-01346

[20-04-2026]

GR Case No.67/2003(CIS 471/2014)

CNR No.: WBPU06000332-2018

TR No. 54A/2025

Presented on : 04-03-2003

Registered on : 04-03-2003

Decided on : 20-04-2026

Duration : 23 years, 1 months, 16 days

The allegation u/s-394 of Indian Penal Code, arising out of Raghunathpur PS Case No.13/2003 Dated 26-02-2003

Complainant	STATE OF WEST BENGAL (Defacto Complainant Goutam Banerjee)
REPRESENTED BY	Ld. APP Sri Lalit Majee
ACCUSED, PARENTAGE RESIDENCE AND	Rajesh Supakar @Bablu s/o Radha Supakar of Manohartari, Sindri PS, District- Dhanbad, State-Jharkhand.....A-1
REPRESENTED BY	Ld. Advocate : Sri Bhairab Das

Date of Offence	26-02-2003
Date of FIR	26-02-2003
Date of Charge-sheet	28-11-2003
Date of Framing of Charge	11-02-2026
Date of commencement of Evidence	10-03-2026
Date on which judgement is reserved	20-04-2026
Date of the Judgement	20-04-2026
Date of the Sentencing Order, if any	Not Applicable

WBPU060000202003



Page No.: 2

GR Case No. 67/2003(CIS 471/2014)

ACCUSED DETAILS

<i>Rank of the Accused</i>	<i>Name of the Accused</i>	<i>Date of arrest</i>	<i>Date of release on Bail</i>	<i>Offences charged with</i>	<i>Whether acquitted or convicted</i>	<i>Sentence imposed</i>	<i>Period of Detention Undergone during Trial for purpose of Section 428 of Cr.P.C.</i>
<i>A-1</i>	<i>Rajesh Supakar @Bablu</i>	<i>18-04-2003</i>	<i>18-04-2003</i>	<i>Sections 394 of Indian Penal Code</i>	<i>Acquitted</i>	<i>N/A</i>	<i>Not Applicable</i>

LIST OF WITNESSES:

A. Prosecution, if any :

<i>Rank</i>	<i>Name</i>	<i>NATURE OF EVIDENCE</i>
<i>PW-1</i>	<i>Narayan Pramanik</i>	<i>Other witness</i>

B. Defence witness, if any:

<i>RANK</i>	<i>NAME</i>	<i>NATURE OF THE EVIDENCE</i>
<i>Not Applicable</i>	<i>Not Applicable</i>	<i>Not Applicable</i>

C. Court witnesses, if any:

<i>RANK</i>	<i>NAME</i>	<i>NATURE OF THE EVIDENCE</i>
<i>Not Applicable</i>	<i>Not Applicable</i>	<i>Not Applicable</i>

WBPU060000202003



Page No.: 3

GR Case No. 67/2003(CIS 471/2014)

LIST OF EXHIBITS

A. Prosecution:

<i>Sr. No.</i>	<i>Exhibit No.</i>	<i>Description</i>
<i>Not Applicable</i>	<i>Not Applicable</i>	<i>Not Applicable</i>

B. Defence:

<i>Sr. No.</i>	<i>Exhibit Number</i>	<i>Description</i>
<i>Not Applicable</i>	<i>Not Applicable</i>	<i>Not Applicable</i>

C. Court Exhibits:

<i>Sr. No.</i>	<i>Exhibit Number</i>	<i>Description</i>
<i>Not Applicable</i>	<i>Not Applicable</i>	<i>Not Applicable</i>

D. Material objects:

<i>Sr. No.</i>	<i>Material object number</i>	<i>Description</i>
<i>Not Applicable</i>	<i>Not Applicable</i>	<i>Not Applicable</i>

JUDGMENT

1) PROSECUTION CASE :

i) The brief of this case is that, in the intervening night of 25-02-2003 and 26-02-2003 at 01.00 hrs , some unknown miscreants entered inside the house of D/C and committed robbery in respect of valuable documents, cash and gold ornaments. It is also alleged that, unknown miscreants assaulted the family members causing bleeding injury on their head and other parts of their person. Hence, this case.

ii) That over the said written complaint, specific case being Raghunathpur P.S Case No.13/2003 dated 26-02-2003 u/s 394 of Indian Penal Code was started.



2) APPEARANCE OF ACCUSED AND CONSIDERATION OF CHARGE:

I) After proper investigation, Police submitted charge Sheet no.77/2003 dated 28-11-2003 against originally four accused persons including accused Manesh @Dilip Mukherjee, Baru Bauri and Mantu Chatterjee. Be it mentioned , accused Baru Bauri expired during pendency of the case and was “filed forever” in this case. Be it further mentioned that, the physical attendance of other two both accused namely Manesh @Dilip Mukherjee and Mantu Chatterjee respectively, couldnot be procured despite issuance of warrant of arrest, they were both “filed for present” in this case.

ii) On perusal of the materials on record it appears that, present accused was put to trial and was charged for commission of offences punishable u/s-394 of Indian Penal Code. The substance of accusation was read over and explained to the sole accused person to which he pleaded “not guilty” and claimed to be tried.

3) COMMENCEMENT OF TRIAL :

i) During the course of trial, only CSW-9/ Narayan Pramanik was examined as PW-1 and discharged. Thereafter, on the verbal submission of Ld. Assistant Public Prosecutor, evidence on behalf of the State is closed. Finding no incriminating materials in the evidence on record, examination of accused u/s 313 CrPC stands dispensed. The argument was heard in full. Considered.

4) POINT FOR DETERMINATION:

The one and only point for determination in this instant case is:-

i) Whether the prosecution has been able to prove its case against the accused person beyond reasonable doubt in respect of the accusations brought out against him?

5) DECISION WITH REASONS:

i) In order to prove the case , the prosecution failed to examine the D/C man and as such in his absence, FIR couldnot be admitted into evidence. The only available prosecution witness failed to shed any light regarding the alleged robbery case and further was unable to tell the name of accused.

ii) No other witness in this age old record corroborated the substance of FIR complaint. Further I do find PO remained unidentified. No alamat is produced. At this very outset, this Court is of the view that in the alleged offence, the ingredients are the commission/attempt of robbery and the voluntary causing of hurt by an offender or their associate. The available witnesses fails to state any element of threat or coercion being induced upon them to handover the alleged gun. At the time of passing the judgment, I failed to notice any Test Identification Parade took place for identification of the accused during investigation nor during trial, the said report was exhibited during trial. It even transpires that the present accused remained unnamed and unidentified in the entire trial. Thus, the prosecution failed to adduce any such credible evidence that would corroborate the case in material particulars, thereby connecting the present accused to the scene of crime. As such, the intention on the part of the accused to commit the alleged offence remains suspicious.



iii) Thus, after perusal the deposition of prosecution witness and considering the submission of Ld. Counsel of accused and other materials on record, it is appears to me that there is no such sufficient ground to prove the genuineness of allegation against the present accused person. The ingredients of the offence punishable under sections- 394 of Indian Penal Code are not thus, established by any credible evidence. In these circumstances, this Court has no other way but to hold the present accused person innocent and accordingly acquit him from the charge of this case.

Hence, it is,

ORDERED

that the accused person namely, (A-1) **Rajesh Supakar @Bablu** is found “Not Guilty” of the offence under **Sections-394 of Indian Penal Code** and he is acquitted of the said offences as per provisions of Section 248(1) of Cr.PC. The surety be discharged from the bail bond.

The defacto complainant man may prefer as per Section-372 of Cr.P.C. and if necessary, avail free legal assistance through District Legal Service Authority, Raghunathpur, Purulia.

Copy of this judgment be intimated to Sub-Divisional District Magistrate, Raghunathpur, Purulia as well to SDLSA, Raghunathpur.

Seized alamats, if any, be disposed of after the statutory period of appeal.

Thus, the case is disposed off.

Note in Register.

Let a copy of this judgment be uploaded in CIS at once.

Dictated and Corrected by me.

Sd/-

Judicial Magistrate

2nd Court, Raghunathpur, Purulia

Dictated and Corrected by me.

Sd/-

Judicial Magistrate

2nd Court, Raghunathpur, Purulia