

FORM - A

<p>IN THE COURT OF ADDITIONAL CHIEF JUDICIAL MAGISTRATE 2ND COURT, RAGHUNATHPUR, DISTRICT - PURULIA Present : <i>Debayan Ganguly</i> Additional Chief Judicial Magistrate 2nd Court Raghunathpur, Purulia J.O. Code: WB01313 Date of the Judgment: 07th day of March, 2026 Case No. GR: 180/22 TR: 103/23 (CIS Registration No. 244/2023) (CNR No.- WBPU06-000376-2023) (Arising from Para P.S Case No. 35/22 dated 23/03/2022)</p>	
Complainant	State of West Bengal
Presented by	Name of Advocate: Rabi Sharma
Accused	Biswajit Soren
Represented by	Name of Advocate: Fakir Chandra Majee

FORM - B

Date of Offence	09.03.2022
Date of F.I.R.	23.03.2022
Date of Police report	30.04.2022
Date of framing Charge/Plea against the accused	20.02.2026
Date of commencement of Evidence	05.03.2026
Date of examination of the accused u/s. 313 of the Cr.P.C.	07.03.2026
Date on which Judgment is reserved	N/A
Date of Judgment	07.03.2026
Date of the Sentencing Order, if any	N/A

Accused details:

Rank of Accused	Name of the Accused	Date of arrest/ surrender	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
A1.	Biswajit Soren	30.11.22	30.11.22	U/s- 448/354 B of IPC	Acquitted	N/A	N/A

FORM - C**A. Prosecution:****LIST OF PROSECUTION /DEFENCE /COURT WITNESSES**

RANK	NAME	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
W1.	Laxmimoni Soren	
W2.	Sajan Soren	

B. Defence Witnesses, if any :

RANK	NAME	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)

C. Court Witnesses, if any :

RANK	NAME	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)

LIST OF PROSECUTION /DEFENCE /COURT EXHIBITS

A. Prosecution:

SR. NO.	EXHIBIT NUMBER	DESCRIPTION
1	P-1	Written complaint
2	P-1/1	Signature of P.W.1 in the written complaint

B. Defence:

SR. NO.	EXHIBIT NUMBER	DESCRIPTION

C. Court Exhibits :

SR. NO.	EXHIBIT NUMBER	DESCRIPTION

D. Material Objects:

SR. NO.	EXHIBIT NUMBER	DESCRIPTION

JUDGMENT

This is a case u/s U/s- 448/354B of IPC. The prosecution case in short is that on 07/03/22 at about 03:00 AM the complainant was alone in her house. Then the accused person entered into her house, grabbed her and tried to touch her private parts by pulling her saree. Then the complainant shouted and the accused fled away.

On the basis of such complaint, Para P.S. chalked out formal FIR being no. 35/22 dt. 23/03/2022 u/s 448/354B of IPC against the accused person.

Thereafter, the case was investigated by the ASI of police Rabindra Nath Mondal of Para P.S. who after completion of the investigation, submitted charge sheet being no.43/22 dt. 30/04/22 u/s 448/354B of IPC against the accused person.

Thereafter, on 20/02/2026 charge was framed u/s 448/354B of IPC against the accused person to which he pleaded not guilty and claimed to be tried.

Thereafter, the prosecution started to examine c/s witnesses and the prosecution had examined the following witnesses:-

P.W. 1 - Laxmimoni Soren

P.W. 2 - Sajan Soren.

After closure of the prosecution evidence, the accused person was examined u/s 313 Cr.PC. As no defence witness was adduced, argument was heard for both parties.

POINTS FOR DETERMINATION

- a) Whether the prosecution has been able to prove the offence u/s 448/354B of IPC against the accused person beyond the shadow of all reasonable doubts?

DECISION WITH REASONS

Having heard both sides and after perusal of the materials on record now let me scan the evidence from the case record.

P.W.1 Laxmimoni Soren deposed that she lodged complaint in Para P.S against the accused person and identified him in Court. She lodged the complaint due to some occurred during the night. Apart from that she failed to recollect anything more about the incident. The written complaint was marked as Exhibit-P-1 and her signature in the same was marked as Exhibit-P-1/1.

P.W.2 Sajan Soren deposed that his wife lodged complaint in Para P.S against the accused person and identified him in Court. But he failed to recollect anything about the incident as it occurred long ago.

From the evidence on record it appears that P.W.1 i.e the de facto complainant herself as well as P.W.2 did not support the prosecution case at all. P.W.1 only deposed that the complaint was lodged due to some dispute occurred during the night and nothing else. Therefore, there is no evidence against the accused that he outraged the modesty of the complainant by committing house trespass.

Under the position of evidence I do not find the accused person guilty of the charge brought against him. In other words, the prosecution has miserably failed to prove the offence u/s 448/354B of IPC against the accused person beyond the shadow of all reasonable doubts.

Hence it is

ORDERED

that the accused person namely Biswajit Soren is not found guilty of the offence u/s 448/354B of IPC and he is acquitted in terms of section 248(1) of Cr.PC and is also discharged from the bail bond as furnished by him.

The instant case stands disposed off.

Seized alat, if any, be disposed off in accordance with law after expiry of the appeal period.

Note in the TR and upload the judgment in the CIS.

Dictated and corrected
by me:

Sd/-
Additional Chief Judicial Magistrate,
2nd Court,
Raghunathpur, Purulia.

Sd/-
Additional Chief Judicial Magistrate,
2nd Court,
Raghunathpur, Purulia.