



The Court of JM 1st Class, Ramgarh

**Present: Smriti Tripathi
Judicial Magistrate**

30th June, 2023

District: Ramgarh

**G.R. Case No. 1017/2021
CNR No. JHRG030031622021
Ramgarh PS Case No. 95/2021**

Informant	State (Through Indrajit Ram)
Represented By	Smt. Manju Kachchap, Ld. A.P.P.
Accused	1. Gulchand Ram s/o late Sukhadi Ram, male, aged about 43 years - (A1) 2. Dev Kumar @ Golu s/o Gulchand Ram, male, aged about 22 years -(A2) 3. Raju Ram s/o Lakhn Ram, male, aged about 41 years -(A3) 4. Mahendra Ram s/o late Sukhadi Ram, male, aged about 51 years -(A4) 5. Tinku Kumr Ram s/o late Madan Ram, male aged about 25 years -(A5) 6. Suraj Kumar Ram s/o Mahendra Ram male, aged about 22 years -(A6) all r/o- mauza Nehru Road, Bangali Tola, Ramgarh Cantt, P.S.+Distt. Ramgarh
Represented By	Sri Mukesh Kumar, Ld. Advocate

Date(s) of Offence	31.03.2021
Date of FIR	31.03.2021
Date of Chargesheet	02.09.2021
Date of framing of charge	14.03.2022
Date of Commencement of evidence	30.03.2022
Date when Judgment is reserved	30.06.2023
Date of Judgment	30.06.2023
Date of Sentencing Order, if any	N/A

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
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							Section 428, CrPC.
A1	Gulchand Ram	-	18.08.21	U/s. 354,324,323/34 of IPC	Acquitted	None	-
A2	Dev Kumar @ Golu	-	18.08.21	U/s. 354,324,323/34 of IPC	Acquitted	None	-
A3	Raju Ram	-	18.08.21	U/s. 354,324,323/34 of IPC	Acquitted	None	-
A4	Mahendra Ram	-	18.08.21	U/s. 354,324,323/34 of IPC	Acquitted	None	-
A5	Tinku Kumr Ram	-	18.08.21	U/s. 354,324,323/34 of IPC	Acquitted	None	-
A6	Suraj Kumar Ram	-	18.08.21	U/s. 354,324,323/34 of IPC	Acquitted	None	-

J U D G M E N T

1. The abovenamed accused persons (Hereinafter referred to as "**A1 to A6**") are facing trial for charges framed U/s. 354,324,323/34 of The Indian Penal Code, 1860 (Hereinafter referred to as the "**IPC**")

2. The compendious **case of the prosecution**, emerging from written application of Indrajeet Ram (hereinafter referred to as the "**informant**") is that on 31.03.21 at about 3-4 PM, somebody knocked to his door, whereupon his sister Neha Devi went to open the door thereafter the accused persons caught hold of her hair locks and the informant rushed out side on her cries and found that accused Raju Ram and Gulchand Ram were molesting her sister. When he opposed and tried to stop them, the miscreants Tinku Ram assaulted him with sword and accused Suraj Kumar assaulted him with a rod in the meantime, Golu @

Dev Kumar, Mahendra Ram and 5-6 others attacked him with lathi-danda and baseball bat, as a result of which he fell down on the earth. Thereafter they went away threatening the informant. It is further alleged that accused Gulchand Ram was president of Supan Dom Samaj and he used to quarrel with others to maintain his supremacy in their society. Thus, the instant case.

3. After Investigation, the Investigating Officer submitted **charge-sheet** bearing no. 346/2021 dated 02.09.2021 against A1 to A6 for the offence U/s. 354,324,323/34, of IPC and **cognizance** was taken of the offence under the same sections against A1-A6 by the Id. CJM on 22.10.2021. Thereafter, the record was fixed for appearance of accused persons.

4. After appearance of A1-A6, **Charges was framed** for the offence U/s. 354,324,323/34 of IPC against the accused A1 to A6 and read over the same to them in simple Hindi to which they pleaded not guilty and claimed to be tried, and the record was posted for prosecution evidence.

5. After closing the **prosecution evidence** on 30.06.2023 during which the prosecution did not produce any evidence despite several reminder and, the **statement** of the accused persons were recorded u/s. 313 of Cr.PC on same day in which they denied the material available against them and claimed to be innocent.

6. Thereafter, the defence was provided with an opportunity to adduce evidence on its behalf, if any but the Id. counsel for the defence submitted that he does not want to adduce any evidence. Upon his prayer, the **defence evidence** was closed and the matter was posted for arguments on same date.

7. The prosecution didn't argue much in light of the lack of evidence.

8. The defence on the other hand argued that a false case has been lodged and no offence as alleged is made out. It was also submitted that the prosecution has failed to produce any witness to the court to prove the guilt of A1-A6 beyond reasonable doubt.

9. Now, the Court will consider whether the prosecution has been able to substantiate the charges levelled against A1-A6.

FINDINGS

10. To substantiate the charges levelled against A1 to A6 despite several opportunities given to the prosecution for adducing evidence, not a shorn of evidence has been brought on record in support of the prosecution case.

11. Having gone through the material available on record, this court finds that despite being given ample opportunities spreading over several years during which the record was running awaiting prosecution evidence, the prosecution has not examined any witness at all or any other nature of evidence. The case of the prosecution is shorn of even a single piece of evidence which could point towards the guilt of A1-A6.

12. Thus, this court is of the considered opinion that the prosecution has failed to substantiate the charge U/s. 354,324,323/34 of IPC. Hence, the A1 to A6 are hereby **acquitted** in this case of the charge. A1-A6 as well as their respective bailors stand discharged from the liabilities of their respective bail bonds.

(Dictated and corrected)
court today.

Pronounced by me in open

Sd/-
(Smriti Tripathi)
JM 1st Class, Ramgarh
Ramgarh, dated the 30th June, 2023

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