

DISTRICT - MADHUBANI
IN THE COURT OF ADDL. SESSIONS JUDGE-II, JHANJHARPUR (MADHUBANI),
BIHAR

Present:- Abhishek Ranjan
Addl. Sessions Judge-2nd, Jhanjharpur

Dated, Jhanjharpur, the 2nd day of July, 2026

SESSIONS TRIAL NO.129/2025

Arising out of Madhepur P.S. Case No.57/2024, dated 12.05.2024 u/s 304(B) of the
I.P.C

State (Through Shubhkala Devi, Informant)

----- Prosecution

vs.

1. Ranjan Thakur aged about 26 years S/o Ghuran Thakur.
-R/o Village-Chunni, PS-Madhepur, District-Madhubani.

----- Accused Person

Charge u/s 304(B) of the I.P.C

Date of offence- 04.05.2024

Date of F.I.R- 12.05.2024

Date of chargesheet- 29.05.2025

Date of framing of charge- 20.08.2025

Date of commencement of evidence- 25.08.2025

Date of evidence close-26.05.2026

Date on which Judgment is reserved- 16.06.2026

Date of Judgment- 02.07.2026

Lawyer for the prosecution: Sri Dev Shankar Jha, A.P.P

Lawyer for the defence: Sri Balbhadra Jha, Advocate

J U D G M E N T

1. The accused person Ranjan Thakur is facing trial u/s 304(B) of the I.P.C

2. Prosecution case has been set in motion on the basis of typed application of informant Shubhkala Devi recored before the police officer in Madhepur police station, is that she married her daughter with Ranjan Kumar Thakur on 11.05.2023 with Hindu Custom. After marriage the accused demanded dowry from her daughter. On 03.05.2024 she received a call that her daughter's health is very bad. When she reached her sasural then she came to knew that Ghuran Thakur, Indu Devi, Arti Kumari, Ranjan Thakur, and Vishnu Thakur, murdered her by giving poison.

- 3.** On the basis of typed application of the informant Shubhkala Devi, Madhepur P.S. Case No.57/2024, dated 12.05.2024 was registered against accused person u/s 304(B)/34 of the I.P.C.
- 4.** After investigation, police submitted charge-sheet no.141/2025 dated 29.05.2025 against accused person Ranjan Thakur u/s 304(B) of the I.P.C. The learned ACJM-II, Jhanjharpur, took cognizance for offence u/s 304(B) of the I.P.C against the accused Ranjan Thakur.
- 5.** That the charge has been framed against the accused person u/s 304(B) of the I.P.C on 20.08.2025, to which he pleaded not guilty, and claimed to be tried.
- 6.** Case of the defence is, as it appears from the trend of cross-examination of prosecution witnesses as well as statement of accused person recorded u/s 313 Cr.P.C, that the accused person is innocent and has been falsely implicated.
- 7.** Now the question for determination before this court is that whether the prosecution has been able to prove the case beyond all reasonable doubt.

FINDINGS

- 8.** In order to prove the case, the prosecution has examined as many as seven witnesses namely, Shubhkala Devi (PW-1, Informant), Ram Dai Devi (PW-2), Rahul Kumar Jha (PW-3), Amarji Thakur @ Amarjit Thakur (PW-4), Narayan Mallik (PW-5), Triveni Prasad Singh (PW-6, IO), & Dr. Santosh Kumar (PW-7).

The prosecution has brought the following documentary evidence.

Exhibit-1- Signature of the informant on the typed application.

Exhibit-2- Signature of Triveni Prasad Singh on the chargesheet.

Exhibit-3- Signature of Prakashchandra Raju on the chargesheet.

Exhibit-4- Signature of Dr. Santosh Kumar on the postmortem report.

The defence has not led any oral or documentary evidences.

Evaluation of evidence & reasons thereof:-

For proper adjudication, it is essential to evaluate the evidences on the record with respect to the charges against the accused person.

9. P.W-1 is the informant. She stated that this case was registered on the basis of her written application. Her daughter Ranju Kumari was married to Ranjan Thakur in Chunni village on 11.05.2023, according to Hindu customs. After the marriage, the accused Ranjan Thakur demanded dowry from her daughter, and harassed her. On 3.05.2024, she received a call regarding her daughter's death. She went to daughter's in laws' house, and learned that she had been poisoned. Ghuran Thakur and his family members were involved in the poisoning. Her daughter died due to poisoning. She submitted a written application to the police station regarding this incident. She signed it, which she recognize, and is marked as Ext. 1.

In her cross-examination, she had stated that her daughter Ranju Kumari went to her in-laws' house, with her husband, after marriage. Her daughter had a good relationship with her husband in her life. Her daughter Ranju Kumari used to go from her in-laws house to her parents house, and from her parents house to her in-laws house with her husband, during her lifetime. During her lifetime, her daughter never complained of any dowry demand, or assault against her husband. None of the accused persons in this case before her ever demanded any dowry from her. Her daughter did not complain about her husband before she died. She doesn't remember who telephoned. She doesn't remember where the telephone came from. She submitted her application to the police station, based on hearsay. She doesn't ever remember who spoke to her about this incident. She has no personal knowledge of her daughter's death. She does not witness any part of this incident with her own eyes. She no longer wish to pursue this case against her son-in-law. She has no objection to the case being dismissed. She knew accused Ranjan Thakur only as her son-in-law.

10. PW-2 has been declared hostile by the prosecution. She had stated that she always remain in the village, and do household work. She recognizes accused Ranjan Thakur.

11. PW-3 has been declared hostile by the prosecution. He had stated that he regularly stay outside the village. He knew accused Ranjan Thakur because he is a villager.

12. PW-4 has been declared hostile. He had stated that he regularly stay at home. He knew the accused Ranjan Thakur, because he is a villager.

13. PW-5 has been declared hostile by the prosecution. He had stated that he remains regularly in the village. He knows the accused Ranjan Thakur because he is a villager.

14. P.W-6 is Triveni Prasad Singh, ie I.O of the case. He had stated that in 2024, he was posted as a SI at Madhepur Police Station, and is still there. He assumed responsibility for the investigation of Madhepur Police Station Case No. 57/2024. He recorded the informant application in paragraph 1 of the case diary. He recorded the death inquest report of the deceased Ranju Kumari in paragraph 2. He took the statement of the informant Shubhkala Devi, which was recorded in paragraph 3, then conducted full inspection of the place of occurrence. He recorded a complete description of the place of occurrence in paragraph 7. During the investigation, he recorded the statements of witnesses Amarjit Thakur, Narayan Mallik, Rahul Kumar Jha, Ramdai Devi, which were recorded in paragraph no. 8, 9, 10, and 11, respectively. He obtained the supervision report of the Sub-Divisional Police Officer, Jhanjharpur, which was recorded in paragraph 16. He received the postmortem report of the deceased Ranju Kumari, which was recorded in paragraph 19. The progress report of the Sub-Divisional Police Officer, Jhanjharpur was received, which was recorded in paragraph 54. The final order of the Sub-Divisional Police Officer, Jhanjharpur was received, which was recorded in paragraph 85. On completion of the investigation, charge sheet no. 141/25 dated 29.05.2025 U/s 304B of the IPC was submitted against the accused Ranjan Thakur, which was recorded

in paragraph 88. Charge sheet No. 141/25 dated 29.05.2025 was prepared by him, which is in his handwriting and signature, he signed it, which he recognizes, and it is marked as Ext.-2. This charge sheet was forwarded by the Police Station Incharge Prakashchandra Raju, on which his signature is there, which he recognizes, it is marked as Ext-3.

In his cross-examination, he had stated that he went to the place of occurrence after the case was registered. The watchman, and the constable showed him the place of occurrence. He cannot say what time he went there. He does not remember at what time he reached the police station, from the place of occurrence of the incident. 3-4 villagers from nearby areas had come to the place of occurrence. The statements of the watchman and the constable as witnesses at the place of occurrence of the incident were not recorded in the case diary. He does not notice the witnesses during the investigation. Throughout the investigation, he recorded the statements of all the witnesses in paragraph 8, 9, 10 and 11 on the same date. He does not mark the time, or sign the individual witness statements. During the raid, no objectionable maternal was recovered from the house of the accused. When he went to the place of occurrence of the incident for the first time, he does not made a visual map of the place of occurrence of the incident, nor does he recorded it in his diary. He does not remember the date on which the investigation was completed, it is mentioned in the diary. Apart from paragraph 8, 9, 10 and 11 of the case diary, he has not recorded in the case diary which persons have houses adjacent to each other. After 12.05.024, he did not go to the spot again, nor does he took the statement of any witness.

15. P.W-7 is the Medical Officer- Dr. Santosh Kumar. He had stated that on 05-05-2024, he was posted at Sadar Hospital, Madhubani, as a Specialist Medical Officer. On identification by chaukidar 6/2 Mukesh Kumar Paswan, he has done the post mortem of deceased Ranju Kumari aged about 22 years W/o Ranjan Thakur of village Chunni, P.S. Madhepur, Dist. Madhubani, and he have found following injuries.

(1) Multiple abrasion over right neck.

(2) Leukopore attached on right side of neck.

(3) Poisonous smell from mouth.

On Dissection:-

(1) Both chamber of heart filled with blood.

(2) All viscera congested both lungs, kidney, liver, spleen pale.

(3) Urinary bladder empty.

(4) Stomach- semi digested food present.

(5) Intestine fecal matter present and gases present.

(6) Uterus non gravid.

(7) Stomach and intestine has poisonous smell present.

All viscera preserved for forensic analysis.

Time since death within 24 hour.

Cause of death is due to CR failure, viscera preserved for forensic analysis.

This Postmortem report has been prepared by him, alongwith Dr. Bhawana Grung, and after preparing post mortem report, he has put his initial signature on post mortem report, which he identifies, and the same is exhibited as Exhibit- 4. Furthermore, he identify the signature of his colleuge Dr. Bhawana Grung, who put the initial signature within his presence, and this signature is Exhibited as 4/1.

In his cross-examination, he had stated that rigor mortis was present. This rigor mortis was present for approximately 24 hours. Rigor mortis usually begins after approximately 6 hours. He doesn't know that how long it takes for rigor mortis to spread from head to leg. On the basis of rigor mortis, it is estimated how many hours ago the death occurred. The viscera was sent to the forensic lab for report, that report has not reached him. Heart failure can also occur due to diseases. The exact cause of death cannot be ascertained without forensic investigation.

16. Perused the evidence on record, and heard argument put forward by both sides. PW2, PW3, PW4, and PW5, has been declared hostile, and had not supported the prosecution case. I.O, and doctor who prepared postmortem report has been examined by prosecution. PW1 is informant, as well as mother of deceased. Though she had stated that accused persons used to demand dowry from her daughter, and her daughter was poisoned.

But in her cross examination she states that her daughter had good relation with accused, and no one asked any dowry from her daughter. She had lodged case on basis of hearsay. She had not seen any occurrence. Here it is important to mention that the witness is not an eyewitness. Nor she had divulged the name of person who had told her about the occurrence. Further, there is no consistency in her statement. Hence, not reliable. PW7 is doctor who conducted postmortem. Though, he had suspected poisoning of deceased during postmortem. But in his cross examination he had stated that heart failure can also occur due to diseases. The exact cause of death cannot be ascertained without forensic investigation. Neither there is a chain of evidence so complete as not to leave any reasonable ground for the conclusion consistent with the innocence of the accused, and nor there are circumstances conclusive in nature. So from evidences on record, prosecution had miserably failed in proving its case.

Hereinafter order is passed.

ORDER

In view of above discussion on facts and circumstances of the case, this Court find that the prosecution had miserably failed to prove the charges leveled against the accused namely Ranjan Thakur u/s 304(B) of IPC, beyond shadow of all reasonable doubts, and hold the accused person not guilty for aforesaid offence. Accused person is acquitted, and set at liberty. Further, accused person is also discharged from the liability of his bail bonds.

Dictated and Corrected by me:

Sd/-
(Abhishek Ranjan)
Addl. Sessions Judge-II
Jhanjharpur
02-07-26

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