

IN THE COURT OF ADDITIONAL SESSIONS JUDGE-V, MUZAFFARPUR

Present : Suman Kumar Divakar,
Bihar Superior Judicial Service

Date of Judgment : 17.06.2026

Sessions Trial No. 956/2023
[Arising out of Motipur P. S. Case No. 40/2015]

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(Suman Kumar Divakar)
Addl. Sessions Judge-V
Muzaffarpur.

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FORM A

Complainant	State of Bihar
Represented by	Naresh Kumar Verma, Addl. P. P. along with Ashish Kumar, Advocate
Name of the accused	1. Ravindra Sahni S/o - Sikindra Sahni 2. Sikindra Sahni S/o - Late Sirpat Sahni 3. Jaliya Devi @ Kaushalya Devi W/o - Sikindra Sahni 4. Dharmendra Sahni S/o - Sikindra Sahni 5. Binod Sahni S/o - Sikindra Sahni 6. Surendra Sahni S/o - Sikindra Sahni All are R/o - village - Ajanakot Phular, P. S. - Motipur, District - Muzaffarpur
Represented by	Shri Raghvendra Jha, Advocate Shri Hariom Kumar, Advocate Mrs. Jaya Singh, Advocate

FORM B

Date of Offence	01.03.2015
Date of FIR	04.03.2015
Date of Chargesheet	30.09.2023
Date of Framing of Charges	05.01.2024
Date of Commencement of Evidence	17.01.2024
Date on which judgement is reserved	17.06.2026
Date of the Judgement	17.06.2026
Date of Sentencing order, if any.	NIL

Accused Details

Rank of the accused	Name of the accused	Date of Arrest	Date of Released on bail	Offences charged with	Whether acquitted or convicted	Sentence imposed	Period of detention undergone during trial for purpose of Section 428 CrPC
A1	Ravindra Sahani	16.09.2023	Not bailed out	Section 364/34, 304B/34, 201/34 and 302/34 of IPC	Acquitted	N/A	N/A
A2	Sikindra Sahani	10.09.2017	24.11.2017	ditto	Acquitted	N/A	N/A
A3	Jaliya Devi @ Kaushalya Devi	17.05.2022	20.07.2022	ditto	Acquitted	N/A	N/A
A4	Dharmendra Sahani	14.02.2019	14.02.2019	ditto	Acquitted	N/A	N/A
A5	Binod Sahani	14.02.2019	14.02.2019	ditto	Acquitted	N/A	N/A
A6	Surendra Sahani	14.02.2019	14.02.2019	ditto	Acquitted	N/A	N/A

Judgement

The judgment is being divided into the following heads:-

1. Introduction.
2. The facts.
3. Submissions(s) made on behalf of the parties.
4. The point or points for determination.
5. The Evidence.
6. Analysis.
7. Findings.

1. Introduction

A1 to A6 stand charged and faced trial for commission of the offence under Section 364/34, 304B/34, 201/34 and 302/34 of the Indian Penal Code, 1860 (hereinafter referred to as "IPC" for short) in connection with Motipur P. S. Case No. 40/2015 registered for the offence under Sections 304(B), 201, 34 IPC. They pleaded not guilty and claimed for trial. Further, they asserted their innocence while responding to the incriminating material put to them under Section 313 of the Criminal Procedure Code, 1973 (hereinafter referred to as 'the Code' for short).

2. The facts.

Briefly stated, the Informant is Phulmati Devi. She is mother of Renu Devi (since deceased). Renu Devi had been married with Ravindra Sahani in the year 2012. It is alleged that all the accused persons on 01.03.2015 in the night, killed the deceased for non-fulfilment of demand of dowry and concealed her dead body. With these allegations, Motipur P. S. Case No. 40/2015 stands instituted for the offence under Section 304B, 201, 34 IPC.

3. Submissions(s) made on behalf of the parties

3.1 Learned counsel for the State submits that the prosecution has successfully proved the case beyond shadow of all reasonable doubts. He further submits that

the doctor could not have been examined in the present case because the dead body was not found.

3.2. Learned Counsel for the defence submits that there is no legal evidence on record. All the witnesses have turned hostile including the informant. They have not supported the prosecution case. The evidence of Investigation Officer is not such which connects the accused persons with the present offence. In this backdrop, he submits that accused persons are entitled for acquittal.

4. The point or points for determination.

4.1. As to whether the prosecution has been successful in proving the charges framed against A1 to A6 beyond shadow of all reasonable doubts?

5. The Evidence.

5.1. In order to bring home the guilty of the accused persons, the prosecution has examined altogether seven witness namely PW-1 Phulmati Devi @ Raj Kumari Devi (Informant), PW - 2 Ashok Kumar, PW - 3 Phuldev Rai, PW - 4 Ramchandra Sahani, PW - 5 Indrajeet Sahani, PW - 6 Lagandev Sahani and PW - 7 Phuljence Kandulana (the Investigation Officer).

5.2. For the sake of brevity, the documentary evidence adduced by the prosecution is not mentioned herein and the same finds place in "Form C" appended to the judgment.

5.3. The defence has led neither oral nor documentary evidence to displace the prosecution case.

5.4. PW - 1 Phulmati Devi @ Raj Kumari Devi was examined on 17.01.2024. She has deposed that she has lodged this case. Her daughter's name was Renu. She was married with Ravindra Sahni of Pular village in the year 2012. After marriage, Renu had gone to her matrimonial house. Initially, good behaviour was made with her. She had no issue and in this regard, the people used to tell her. She was murdered but she does not know as to who did it. After receiving

information about the incident, she had gone to her daughter's matrimonial house but no body was there. Thereafter, she lodged this case in the police station. She had made her application written by others in the police station and put her thumb impression over it. She identified the accused Ravindra Sahni present in the court. She claims to identify other accused persons.

In cross-examination, she has stated that her daughter had complained against the accused persons and in this regard panchayati was done but accused persons had never demanded any dowry. Her daughter was issueless and on this point there was difference between her and her husband. She does not know as to who had informed her about the murder of her daughter. She had gone to daughter's matrimonial house after three days of the occurrence. None of the villagers of accused persons told her as to who committed murder of her daughter and how it was done. She does not know as to post-mortem of her daughter was done or not. On the instance of villagers of the accused persons, she went to the police station and made application. She had not seen the occurrence by her own eyes. On the basis of suspicion, she had implicated the present accused persons. The accused persons are her relatives and therefore, she identifies them.

5.5. PW - 2 Ashok Kumar was examined on 29.01.2024. He deposed that he does not know anything about the occurrence. His statement was not recorded by the police. At this stage, on request of the prosecution, he was declared hostile and permitted to be cross-examined. On being cross examine by the prosecution, he declined to have made any statement before the police. Further, being cross-examined by the defence, he has stated that he had not given any statement before. He does not know anything about occurrence. The accused persons are his villagers. Therefore, he knows them.

5.6. PW - 3 Phuldev Rai was examined on 29.01.2024. He deposed that he does not know anything about the occurrence. His statement was not recorded by the

police. At this stage, on request of the prosecution, he was declared hostile and permitted to be cross-examined. On being cross examined by the prosecution, he declined to have made any statement before the police. Further, being cross-examined by the defence, he has stated that he had not given any statement before. He does not know anything about occurrence. The accused persons are his villagers. Therefore, he knows them.

5.7. PW - 4 Ramchandra Sahani was examined on 23.02.2024. He deposed that he does not know anything about the occurrence. His statement was not recorded by the police. At this stage, on request of the prosecution, he was declared hostile and permitted to be cross-examined. On being cross examined by the prosecution, he declined to have made any statement before the police. Further, being cross-examined by the defence, he has stated that he had not given any statement before. He does not know anything about occurrence. The accused persons are his villagers. Therefore, he knows them.

5.8. PW - 5 Indrajeet Sahani was examined on 06.03.2024. He is father of the deceased. He has deposed that the incident occurred ten years before. He does not know anything about the incident. His statement was recorded by the police. His daughter Renu Devi had got married with Ravindra Sahni in the year 2012. She was living happily in her matrimonial home. He does not know as to how she died. The husband of the deceased or the family members were never used to torture her. Total 15 persons live in sasural of his daughter. At this stage, on request of the prosecution, he was declared hostile and permitted to be cross-examined. On being cross-examined by the prosecution, he declined to have made statement before the police. Further, being cross-examined by the defence, he has stated that he is father of the deceased. No demand of dowry was ever made from the sasural of his daughter. His daughter has died. He does not know as to how she died. Dead body of his daughter was not recovered. At the time of

incident, he was outside of the state. He had never given statement to the police. He is deposing for the first time in the court.

5.9. PW - 6 Lagandev Sahani was examined on 05.04.2024. He deposed that he does not know anything about the occurrence. His statement was not recorded by the police. At this stage, on request of the prosecution, he was declared hostile and permitted to be cross-examined. On being cross-examined by the prosecution, he declined to have made any statement before the police. Further, being cross-examined by the defence, he has stated that he had no knowledge about demand of dowry. He had not given any statement before.

5.10. PW - 7 Phuljence Kandulana was examined on 07.08.2025. He is first Investigation officer of this case who has fundamentally investigated the case. He took over the charge over the investigation and inspected the place of occurrence. He recorded the statement of witness Nagendra Sahni, Shrikant Sahni, Munna Kumar, Ashok Kumar. He handed over the charge of the investigation on 18.03.2017 in view of his transfer. In cross-examination, he has stated that he had not arrested any accused of this case.

6. Analysis.

6.1. In the present case, PW - 2, PW - 3, PW - 4 , PW - 5 and PW - 6 have become hostile. They have not supported the prosecution case on any count. Furthermore, PW - 1 (the Informant and mother of the deceased) has clearly stated in her evidence that she does not know as to who had committed murder of his daughter. In cross-examination, she has clearly stated that on the basis of mere suspicion and further on the instance of villagers, she had lodged this case and implicated the present accused persons. PW - 5 (the father of the deceased) has clearly stated that no dowry was ever being demanded from the members of her daughter's matrimonial house. How did she die, he does not know. In cross-examination, he has stated that the incidence of torture had never happened. At

the time of incident, he was not in the state of Bihar. He had not given any statement to the police.

6.2. In sum and substance, there is oral evidence on the record that the deceased died. The post-mortem report is not on the record for the reason that the dead body of the deceased could not have been recovered. PW - 5 (the father of the deceased) has stated vide paragraph '12' of his deposition that dead body of her daughter was not recovered. Thus, a clean reflection which is coming out of the evidence on record assuming the fact that the case of the deceased was homicide, there is no clue or evidence to connect the implication of the present accused persons. None of the witnesses has supported the prosecution case. The perpetrator of the crime is not known in the present case on the basis of evidence on record.

6.3. In fact, there is no eye witness in the present case, and if the evidence on record is tested in light of the principles governing circumstantial evidence, even then, the circumstances is not intact in the present case to complete the chain.

7. Findings.

7.1. In view of the forgoing reasons as discussed in the analysis section, it appears that the prosecution has failed to prove its case beyond shadow of all reasonable doubts. The accused 1. Ravindra Sahani, 2. Sikindra Sahani, 3. Jaliya Devi @ Kaushalya Devi, 4. Dharmendra Sahani, 5. Binod Sahani, 6. Surendra Sahani are entitled for acquittal by giving them benefit of doubt. Accordingly, they are acquitted from all the charges levelled against them. They are present before the Court. They are on bail except the accused Ravindra Sahni. Bail bonds, if any, stand cancelled and the bailors are discharged from liabilities of their respective bail bonds. The accused Ravindra Sahni is directed to be released forthwith, if not required in any another case.

Pronounced, signed and sealed in the open court on this 17th day of June, 2026.

(Suman Kumar Divakar)
Addl. Sessions Judge-V,
Muzaffarpur

FORM C

LIST OF PROSECUTION/DEFENCE/COURT WITNESSES

A. Prosecution:

RANK	NAME	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
PW - 1	Phulmati Devi @ Raj Kumari Devi (Informant of the case)	Other Witness
PW - 2	Ashok Kumar	Hostile Witness
PW - 3	Phuldev Rai	Hostile Witness
PW - 4	Ramchandra Sahni	Hostile Witness
PW - 5	Indrajeet Sahni	Hostile Witness
PW - 6	Lagandev Sahni	Hostile Witness
PW - 7	Phuljence Kandulana	Investigating Witness

B. Defence Witness, if any:

NIL

C. Court Witness, if any:

NIL

LIST OF PROSECUTION/DEFENCE/COURT EXHIBITS.

Serial No.	Exhibit Number	Description
1.	No Exhibit	NA

(Suman Kumar Divakar)
Addl. Sessions Judge-V,
Muzaffarpur

Date of Judgement/Order	17.06.2026
Date of reserving Judgement/Order	17.06.2026
Uploading Date	22.06.2026
Uploaded by	Bambam Kumar Jha, Stenographer