



Presented on : 08-09-2025
Registered on : 08-09-2025
Decided on : 01-07-2026
Duration : 0 years, 9 months, 23 days

FORM – A

IN THE COURT OF DISTRICT & ADDITIONAL SESSIONS JUDGE-IInd, Nalanda at Biharsharif <u>Present: Khyati Singh</u> [Date of Judgment – 01.07.2026] State Versus Pradeep Paswan & Others Sessions Trial No. 814/2025, CNR No. BRNL010065782025 [Arising out of Deepnagar P.S. Case No. 07/2025, GR No. 31/2025]	
PROSECUTION/INFORMANT	Dhiraj Kumar
REPRESENTED BY	Sri Amir Prasad Singh, Ld. Addl. P.P.
ACCUSED PERSONS	1. Pradeep Paswan, aged about 24 years, S/o Radhe Shyam Paswan, 2. Champa Devi, aged about 49 years, W/o Radhe Shyam Paswan, both r/o village-Nagwan, P.S.- Deepnagar, District- Nalanda
REPRESENTED BY	Sri Anil Kumar (Ld. Advocate)

FORM – B

Date of offence	03-01-2025
Date of FIR	03-01-2025
Date of charge sheet	22-07-2025
Date of cognizance	12-08-2025
Date of commitment	01-09-2025
Date of framing of charge	06-12-2025
Date of commencement of evidence	22-12-2025
Date on which Judgment is reserved	-
Date of the Judgment	01-07-2026
Date of the Sentencing order	-

IN THE COURT OF DISTRICT & ADDITIONAL SESSIONS JUDGE-IInd,
Nalanda at Biharsharif

Present: Khyati Singh

Sessions Trial No. 814/2025, CNR No. BRNL010065782025
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ACCUSED DETAIL

Rank of the Accused	Name of 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 section 428, Cr. P.C.
A1	Pradeep Paswan	07-05-25	-	U/s 80(2), 103, 3(5) BNS & ¾ D.P. Act	Acquitted	-	-
A2	Champa Devi	07-05-25	21-11-25	-DO-	Acquitted	-	-

FORM C

Prosecution Witnesses

RANK	NAME
P.W.1	Dhuri Paswan
P.W.2	Ruby Devi
P.W. 3	Dhiraj Kumar
P.W. 4	Dr. Mahendra Kumar
P.W. 5	Sunil Kumar Singh

FORM D

Defence Witnesses

RANK	NAME
NIL	NIL

FORM E

Court Witnesses, if any

RANK	NAME
NIL	NIL

LIST OF PROSECUTION/DEFENCE/COURT EXHIBITS

A Prosecution

S.No	Exhibit number	Description
1.	P-1/PW-1	Signature of the P.W.-1 on the Inquest report
2.	P-2/PW-3	Signature of the informant on the Fardbayan
3.	P-3/PW-3	Signature of the informant on the Inqeust report
4.	P-4/PW-3	Signature of the informant’s Fufa Ajeet Kumar on the Fardbayan

**IN THE COURT OF DISTRICT & ADDITIONAL SESSIONS JUDGE-IInd,
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5.	P-5/PW-3	Mobile no. & the email ID of the informant on the Fardbayan
6.	P-6/PW-4	Signature of P.W.-4 Dr. Mahendra Kumar on the Postmortem report
7.	P6/1/PW-4	Signature of Dr. Nirmal Kumar on the Postmortem report
8.	P6/2/PW-4	Signature of Dr. Sanjeev Kumar on the Postmortem report
9.	P7/PW-5	Endorsement of the then S.H.O. Jitendra Ram on the Fardbayan
10.	P8/PW-5	Writing & signature of ASI, Pankaj Kumar Singh on the fardbayan
11.	P9/PW-5	Writing & signature of ASI, Pankaj Kumar Singh on the corbon copy of Inquest report.
12.	P10/PW-5	Signature of the then SHO Jitendra Ram on the computerized formal F.I.R.
13.	P11/PW-5	Signature of PW-5 Sunil Kumar Singh, P.A.S.I on the Chargesheet
14.	P12/PW-5	Forwarding of the S.H.O. Jitendra Ram on the Chargesheet

B. Defence exhibits:-

Sl No.	Exhibit number	Description
1.	NIL	NIL

C. Court Exhibits

Sl No.	Exhibit number	Description
1.	NIL	NIL

JUDGMENT

1.	The above named accused persons stand charged for committing the offences punishable u/s 80(2), 103, 3(5) of the B.N.S. & ¾ D.P. Act.
2.	The case of the prosecution as unfolded in the Fardbayan of the informant, namely, Dhiraj Kumar, in brief, is that he solemnized the marriage of his sister Sandhya Devi with Pradeep Paswan on 14.04.2024 as per Hindu rites and rituals. At the time of marriage, he gave Rs. 3 lakhs cash, one splendor motorcycle and a gold ring as gift. After the marriage, Pradeep Kumar and his mother started demanding Rs. 2 lakhs and gold chain. Sandhya Devi asked the informant on mobile that the accused Pradeep Kumar and his mother are abusing and assaulting her for the aforesaid demand. The informant tried many a times to convince the accused persons. On 03.01.2025, Sandhya Devi called the informant and asked that both the accused persons are continuously abusing and threatening to kill her. The informant's Fufa Ajeet Paswan informed him on his mobile that Sandhya Devi is lying dead in the house.

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Then, the informant along with his family members went to the matrimonial house of his sister, he saw that she is lying dead on the roof and there is a dark-deep sign at her neck. The informant has further alleged that he is confident that at the instance of accused Pradeep Kumar, the mother of Pradeep Kumar has killed his sister by hanging her.

3. The said Fardbayan of the informant gave birth to the institution of Deepnagar P.S. case no. 07/2020 dated 03.01.2025 registered u/s 80(2), 3(5) of the B.N.S. & ¾ D.P. Act against the accused persons as named in the Fardbayan. The I.O. has submitted the charge sheet bearing No.513400925000701 dated 22.07.2025 against the accused Pradeep Paswan and Champa Devi u/s 80(2), 3(5) of the B.N.S. & ¾ D.P. Act and keeping the investigation pending against rest of the accused persons.
4. The cognizance of the offences was taken by the learned Chief Judicial Magistrate, Nalanda at Bihar Sharif on 12.08.2025 u/s 80(2), 3(5) of the B.N.S. & ¾ D.P. Act against the accused Pradeep Paswan and Champa Devi and the case was committed to the Court of Sessions on 01.09.2025. After that, the case record was received to the Court of Sessions on 08.09.025 and then in due course of time it came to the file of this Court on 04.11.2025.
5. The charges were framed against the above named accused persons u/s 80(2), 103, 3(5) of the B.N.S. & ¾ D.P. Act and the same were read over and explained to them in Hindi on 06.12.2025 to which they pleaded not guilty and claimed to be tried.
6. The defence of the accused persons is the total denial of allegations levelled against them and their involvement in the occurrence and they have stated that they are innocent and have been made victim of the false implication.
7. Now, the point for determination in this case is whether the prosecution has been able to prove the charges levelled against the accused persons beyond the shadow of all reasonable doubts.

8. **FINDINGS**

(a) In this case the prosecution has adduced and examined altogether five

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witnesses mentioned as follows :-

S.No	NAME OF THE WITNESSES	EVIDENCE
1	Dhuri Paswan	P.W.1
2	Ruby Devi	P.W.2
3	Dhiraj Kumar	P.W.3
4	Dr. Mahendra Kumar	P.W.4
5	Sunil Kumar Singh	P.W.5

(b) The prosecution has adduced documentary evidences -

S.No	Exhibit number	Description
1.	P-1/PW-1	Signature of the P.W.-1 on the Inquest report
2.	P-2/PW-3	Signature of the informant on the Fardbayan
3.	P-3/PW-3	Signature of the informant on the Inqeust report
4.	P-4/PW-3	Signature of the informant’s Fufa Ajeet Kumar on the Fardbayan
5.	P-5/PW-3	Mobile no. & the email ID of the informant on the Fardbeyan
6.	P-6/PW-4	Signature of P.W.-4 Dr. Mahendra Kumar on the Postmortem report
7.	P6/1/PW-4	Signature of Dr. Nirmal Kumar on the Postmortem report
8.	P6/2/PW-4	Signature of Dr. Sanjeev Kumar on the Postmortem report
9.	P7/PW-5	Endorsement of the then S.H.O. Jitendra Ram on the Fardbayan
10.	P8/PW-5	Writing & signature of ASI, Pankaj Kumar Singh on the fardbayan
11.	P9/PW-5	Writing & signature of ASI, Pankaj Kumar Singh on the corbon copy of Inquest report.
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On the other hand, neither oral nor documentary evidence has been adduced on behalf of the defence.

9. Now, the evidences, thus, adduced and examined shall be analysed in the light of the material particulars of this case as under:

P.W-1 Dhuri Paswan is the father of the deceased Sandhya Devi and he has said in his examination in chief that about 1½ years back he solemnized the marriage of his daughter with Pradeep Paswan as per Hindu rites and rituals and he made expenditures in the marriage as per his limitation. The ritual of Ahor-bahor also took place at that time. After the marriage, his daughter went to her matrimonial home along with her husband and she lived there for 5-6

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months and in the meantime, she didn't say anything to him. He said that after 5-6 months his daughter died and in this regard her in-laws called him about one year back. He said that he, his wife and his children went there then, they found her dead body there. He also said that he could not know from the neighbours as to how his daughter died. He also asked her in-laws but it could not be known as to how she died. He said that the Police did not record his statement. After that this witness has been declared hostile by the prosecution. He has proved his signature on the Inquest report as Exhibit-P1/PW-1. In his cross examination by defence in para-6 he said that after the marriage of his daughter and till her death, his son in law or his mother did not demand dowry. In para 7 he has said that at the time of death of his daughter none of the male member was present in the house, they all were living outside. Further, in para 9 he stated that when the police took his signature on the inquest report, at that time, that page was plain. He also said that at that time Dheeraj put his signature on the blank paper.

P.W-2 Ruby Devi is the mother of the deceased Sandhya Devi. She has also said the same thing as P.W-1 in her examination in chief. After that she has also been declared hostile by the prosecution. In her cross examination by defence she said that she could not know as on date as to how her daughter died. In para-6 she stated that her son filed this case on the basis of suspicion. In para 7 she said that when her daughter died, her husband was not present there rather he lived outside.

P.W-3 Dhiraj Kumar, the informant, has proved his signature on the fardbayan as P2/PW-3 in his examination in chief. Further, he said that he solemnized the marriage of his sister Sandhya Devi with Pradeep Paswan as per Hindu rites and rituals 1½ years back and he made expenditure in the marriage as per his limitation. After the marriage, the ritual Ahor-Bahor also took place at that time. After the marriage, his sister went to her matrimonial home along with her husband and her in-laws were keeping her properly. He also said that the in-laws of his sister did not demand anything from him. He said that his sister died in her matrimonial home on 03.01.2025. Before her

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death he had a talk with her sister. He further said that at about 10:00 AM, he had a talk with her sister and she talked to him properly and when he called her again, she did not receive the call. Then, he called his Fufa and his Fufa told that his sister lying dead. He, his parents and the villagers went to the matrimonial home of his sister and he saw that his sister is lying dead on the roof. Nobody was present after the death in the matrimonial home of the sister. Then, he called the Police and the Police came and prepared the Inquest report. He has proved his signature on the Inquest report as Exhibit-P3/PW-3. He has also proved the signature and the mobile no. of his Fufa on the fardbayan as Exhibit- P4/PW-3. He has proved his mobile no. & email ID as Exhibit-P5/PW-3. In his cross examination in para-5 he stated that firstly he has given his statement before the Police after that Police wrote that at its own level. He said that he does not know as to what was written by the Police and that was not read over to him by the Police also. The Police asked him to put his signature, therefore, he put his signature on that. He also said that he does not know as to what was written in the Inquest report. He put his signature on that at the instance of the Police. In para-6, he stated that at the time of death of his sister, Pradeep Kumar was not in the house. He was living outside since two and a half months. Only his sister and Champa Devi were there in the house. In para-7 he said that the accused Pradeep Kumar and Champa Devi did not demand dowry from them. In para-8, he stated that when he went to the matrimonial home of his sister, he did not see any sign of assault on the body of his sister. He also said that his sister never complained him about the assault.

P.W-4 Dr. Mahendra Kumar has said in his examination in chief that on 03.01.2025, he was posted at Medical Officer in Sadar Hospital, Biharsharif. The dead body was received at 07:00 PM on 03.01.2025. He did the postmortem on the body of Sandhya Devi, age-20 years, D/o Dhuri Paswan, village Nagma, P.S. Deepnagar, District Nalanda on 03.01.2025 at 07:25 P.M. which was brought by Chaukidar 6/2 Shri Arun Kumar. He did the postmortem of Sandhya Devi and found on external examination both eyes

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closed. One non-continuous oblique ligature mark found in front of neck measuring 13"x1", going upwards and backwards up to left occipital region of head and right side below the right ear. The skin of the ligature mark was dry hard, abraded and parchment like over right side of neck and below the right angle of mandible.

On dissection – Head – skull intact, Brain - Intact and congested. Neck-subcutaneous tissue of neck was dry white, glistening and pale. The muscles of neck and inner side of trachea was mildly congested. Thorax- Ribs was intact. Both lungs were intact and congested, Heart- Right side chambers filled with blood and left side empty. Abdomen- stomach contained about 200ml pasty food matter. U. Bladder was empty, Uterus was non gravid. External genitalia was normal. Rest abdominal and thoracic organs were mildly congested in general. For this the board has been constituted of three Doctors and the Board opined the cause of death was asphyxia due to hanging. Time elapsed since death within 12 to 18 hours from the time of postmortem examination. The report has been prepared in his direction which has been typed on which he has put his signature and proved as Exhibit- P6/PW-4. The Board constitute of Dr. Nirmal Kumar and Dr. Sanjeev Kumar and himself. He has proved the signature of Dr. Nirmal Kumar and Dr. Sanjeev Kumar as Exhibit- P6/1/PW-4 & Exhibit- P6/2PW-4 respectively. In his cross examination in para-2, he said that no other injury was found on the body of the deceased Sandhya Devi. In para-3, he stated that in spring season rigor mortis was developed within 3.5 to 6 hours. In para-4 he said that rigor mortis remains for 12 hours and disappeared after 12 hours. In para-5 he said that on the basis of rigor mortis time elapsed since death within 12 to 18 hours. Also, he said in para-6 that no any thumb impression found over the deceased body of Sandhya Devi. In para-7 he has said that the cause of death was asphyxia due to hanging.

P.W-5 Sunil Kumar Singh has said in his examination in chief that on 03.01.2025, he was posted at Deepnagar P.S. as P.A.S.I.. He has proved endorsement of the then S.H.O. Jitendra Ram on the Fardbayan, Fardbayan,

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carbon copy of Inquest report, formal F.I.R. as Exhibit-P7/PW5, Exhibit-P8/PW5, Exhibit-P9/PW5, Exhibit-P10/PW5 respectively. He said that he received the charge of investigation along with all the concerned documents from the then SHO, Jitendra Ram. He perused the case diary on 22.04.2025 and he raided on 07.05.2025 and arrested the accused Champa Devi and Pradeep Paswan and after that he recorded their Safai bayan. He sent both the accused to the Court and after finding the case true against the accused Pradeep Paswan and Champa Devi, he submitted the charge-sheet keeping the investigation pending against rest accused persons. He has proved the charge-sheet and its forwarding as Exhibit-P11/PW5 and Exhibit-P12/PW5 respectively. In his cross examination in para-4 he has stated that after receiving the charge of investigation he perused the case diary and inspected the place of occurrence but he did not record the statement of the persons of the place of occurrence. In para-5 he stated that during the course of the investigation he did not record the statement of any witness. In para-6 he said that he perused the evidences collected by the previous I.O.. In para-7 he said that it was directed in the supervision note that the statement of the local people should be recorded but he did not record the same. In para-8 he said that the accused is not having any criminal antecedent. In para-9 he stated that he did not investigate on the point that whether the accused Pradeep Kumar and his mother were demanding the dowry and also he did not try to seize the mobile of the deceased. He has denied the suggestion given by the defence that his investigation is defective.

10. The learned counsel appearing on behalf of the accused persons submitted during argument that the accused persons are innocent and have been falsely implicated in this case. He has further advanced his argument that none of the witness including the informant has supported the prosecution case. As such, the accused persons deserve the acquittal.

On the other hand, the learned Addl.P.P. has argued that the occurrence took place, but why the witnesses have not supported the prosecution case, the reasons best known to them.

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11. Heard both the parties and perused the record. From perusal of the record it transpires that altogether five witnesses have been produced and examined by the prosecution. PW-3, the informant, has said in his evidence that firstly, he gave the statement before the Police and later on, the Police wrote that at its own level. He does not know as to what was written and also that was not read over to him. The Police asked him to put his signature, therefore, he put that. He also does not know as to what was written in the Inquest report. He put his signature on that at the instance of the Police. He also said that when his sister died the accused Pradeep Kumar was not at his house. He was living outside from two and a half months back. He has also said that the accused Pradeep Kumar and Champa Devi did not demand dowry from them. He further said that when he went to the matrimonial home of his sister, he did not see the sign of assault at her body. He also said that his sister never complained him about assault. Thus, the evidence of the informant itself is full of lacunae. Further, PW-1, the father of the deceased, and PW-2, the mother of the deceased, have been declared hostile by the prosecution and they have not supported the case at all. PW-4 is the doctor who conducted the postmortem of the deceased has said in his evidence that no any thumb impression was found over the body of the deceased. Though, it reflects from the evidence of the doctor that the deceased died unnaturally but the prosecution has failed to prove that the accused persons of this very case have caused the death of the deceased. Further, PW-5, the investigating officer, has stated in his evidence that he did not record the statement of any witness. Also, he did not investigate on the point that whether the accused Pradeep Kumar and his mother were demanding the dowry or not. Also, he did not try to seize the mobile of the deceased. Hence, the evidence of this witness is also full of flaw. None other witness came to support the prosecution case though sufficient opportunities were given.

Thus, in view of the aforesaid facts and circumstances and the discussion made above, I find that the prosecution has not been able to establish the charges levelled against the above named accused persons

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u/s 80(2), 103, 3(5) of the B.N.S. & ¾ D.P. Act beyond shadow of all reasonable doubts. Accordingly, the accused persons,namely, **(1)Pradeep Paswan and (2) Champa Devi** are acquitted under the aforesaid charges. They are set at liberty and are discharged from the liability of their respective bail bonds.

Sd/-
(Khyati Singh)
Distt. & Additional Sessions Judge-IInd
Nalanda at Biharsharif
01.07.2026

Dictated & Corrected by me,

Sd/-
(Khyati Singh)
Distt. & Additional Sessions Judge-IInd
Nalanda at Biharsharif
01.07.2026

Date of Judgment/Order	01.07.2026
Date of Reserving Judgment/Order	-
Date of Uploading	08.07.2026
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