

Form-A

<u>IN THE COURT OF DISTRICT & ADDL.</u> <u>SESSIONS JUDGE -IV, BARH</u> DISTRICT – PATNA (BIHAR) PRESENT : SRI SHAILENDRA KUMAR SINGH, Addl. Sessions Judge - IV, Barh (Patna) DATE OF JUDGMENT- 26/05/2026 ST CASE NO. 478/2024 CNR No. BRPA30-001626-2024	
INFORMANT	STATE OF BIHAR (Through Informant Puja Devi W/O Arvind Rai (R/o Village : Kala Diyara, Police Station : Salimpur, District : Patna (Bihar)
REPRESENTED BY	Sri Bhupendra Paswan, Ld. A.P.P.
ACCUSED PERSONS	A1 – Arvind Rai a/a 35 Yrs S/o- Nunu Rai A2 – Sumariya Devi a/a 30 Yrs S/o- Dharmendra Rai A3 – Dharmendra Rai a/a 37 Yrs S/o- Nunu Rai (All R/o- Village: Kala Diyara, Police Station : Salimpur, District : Patna (Bihar)
REPRESENTED BY	Sri Manoranjan Kumar, Advocate



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26/5/2026

Form-B

Date of Offence	24/10/2015
Date of FIR	20/12/2015
Date of Charge sheet	20/07/2016
Date of Framing of Charges	19/11/2024
Date of Commencement of Evidences	03/12/2024
Date on which Judgment is reserved	26/05/2026
Date of the Judgment	26/05/2026
Date of the Sentencing Order, if any	N/A

ACCUSED DETAILS:

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
A-1	Arvind Rai	30/05/2016	14/11/2016	u/s 498A, & 307 r/w 34 IPC and 3 & 4 DP Act	Acquitted	Nil	Nil
A-2	Sumariya Devi	---	---	--Do--	Acquitted	Nil	Nil
A-3	Dharmendra Rai	---	---	--Do--	Acquitted	Nil	Nil

::: J U D G E M E N T :::

1. All three accused persons *namely*, **Arvind Rai, Sumariya Devi & Dharmendra Rai** are facing trial for the offenses punishable **u/s 498A & 307 r/w 34 Indian Panel Code (IPC) and 3 & 4 Dowry Prohibition (DP) Act** for subjecting informant to cruelty for fulfillment of unlawful demand of Dowry and attempting to commit murder of informant in furtherance of common intention.



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2. Prosecution case as per *ferdbyan* dated 11/12/2015 of informant **Puja Devi** in brief is that; she got married with Arvind Rai five (5) years ago, at the time of marriage her mother has given household item as gift. After marriage, her husband & *in-laws* started torturing her for fulfillment of demand of dowry worth Rs. 50,000/-. On 24/10/2015, her house & *in-laws* assaulted and set her on

fire, after pouring kerosene oil, due to which, she got severe burn injury. She was got admitted in Government hospital, Bakhtiyarpur by villagers from where she referred to PMCH, Patna.

3. On the basis of *ferdbyan* dated 11/12/2015, an F.I.R. has been registered against three accused persons namely, **Arvind Rai, Sumariya Devi & Dharmendra Rai** for the offenses punishable **u/s 498(A) & 307 IPC and 3 & 4 DP Act** as Salimpur P.S. Case No. 148/2016 dated 20/12/2015. After investigation, Police submitted Charge Sheet No. 43/2016 dated 20/07/2016 for offence punishable **u/s 498(A) & 307 r/w 34 IPC and 3 & 4 DP Act** against all three FIR named accused persons. On 02/11/2016, cognizance of the offenses punishable **u/s 498(A) & 307 r/w 34 IPC and 3 & 4 DP Act** has been taken by the then A.C.J.M, Barh against all three charge sheeted accused persons. After complying the provisions of section 207 Cr.P.C. case record committed to the Court of Sessions. Case record of all three accused persons **Arvind Rai, Sumariya Devi & Dharmendra Rai** received to this Court on 10/05/2024 on transfer.


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4. On 19/11/2024 charge for the offence punishable **u/s 498(A) & 307 r/w 34 IPC and 3 & 4 DP Act** are framed, read over and explained to all three above named accused persons in Hindi, to which they pleaded not guilty and claimed to be tried.

5. Prosecution has examined altogether **four** witnesses and also produced documentary evidences.

Oral evidences

P.W.1	:	Puja @ Sanju Kumari
P.W.2	:	Parmila Devi
P.W.3	:	Rakesh Kumar
P.W.4	:	Ram Iqbal

Documentary evidences

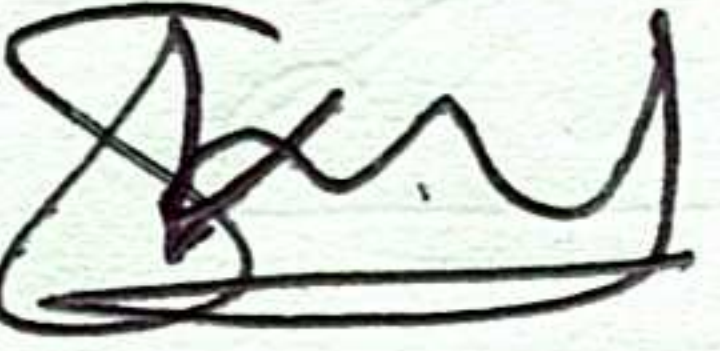
Exhibit-1	:	Signature of informant on <i>ferdbyan</i>
Exhibit-1/1	:	Signature of P.W. 2 Parmila Devi on <i>ferdbyan</i>

6. On 13/05/2026, above named accused persons have been examined u/s 313 Cr.P.C. in which, they pleaded their innocence. Defence has not produced any oral or documentary evidence in his defence.

7. Now, the question for determination before the Court is, "*whether the prosecution has been able to prove the charge framed & explained to above named all three accused person beyond reasonable doubt ?*"

FINDINGS

8. On perusal of the documents available on the record, it transpires that informant in her *ferdbyan* stated that she got married with Arvind Rai five (5) years ago, at the time of marriage her mother has given household item as gift. After marriage, her husband & *in-laws* started torturing her for fulfillment of demand of dowry worth Rs. 50,000/-. On 24/10/2015, her house & in-laws assaulted and set her


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on fire, after pouring kerosene oil, due to which, she got severe burn injury. She was got admitted in Government hospital, Bakhtiyarpur by villagers from where she referred to PMCH, Patna.

9. Prosecution in support of its case as adduced & examined altogether following four witnesses:-

(a) **P.W. 1 Puja @ Sanju Kumari (Victim)**

during her *examination-in-chief* before the Court stated that she got married with Arvind Rai in the year 2010. After marriage, she went to her in-laws house. She used to live well in her in-laws house. While cooking, the stove burst, due to which, she got burnt. No body has set her on fire. She got treatment at PMCH Patna. Police had come there but not recorded her statement. On identification, her signature on the *ferdbyan* dated 11/12/2015 of Salimpur P.S. Case No. 148/2015, has been marked as Exhibit-01/PW1. She further stated that her statement was not recorded before the Salimpur Police. She has been **declared hostile** on the request of prosecution. During *cross-examination* by defence she stated that she has signed on a plain blank page and content was not read over to her. Now she is happily living with her family and husband. No dowry was ever demanded from her. After the incident, she has two children with her husband. Even today she has come from her in-laws house. There has been no harassment of any kind by her husband, sister-in-law or brother-in-law. She has voluntarily given evidence without any fear or pressure. All the accused persons are from the family, hence she identify them.



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(b) **P.W. 2 Parmila Devi** during her *examination-in-chief* before the Court stated that her

daughter Puja Kumari got married with Arvind Rai in the year 2010. At the time of marriage, she has given items as gifts. The incident is of December 2015. Her daughter got burnt. Her treatment was done at Verma Hospital, Patna and PMCH Patna. Police had recorded statement of her daughter. On identification, her signature on the *ferdbyan* dated 11/12/2015 of Salimpur P.S. Case No. 148/2015, as been marked as Exhibit- 1/1/PW 2. She further stated that her daughter got burnt on her own. Nobody set her on fire. Her daughter presently lives at her in-laws' house. The *Darogaji* had recorded her statement. She has been **declared hostile** on the request of prosecution. During *cross-examination* by defence she stated that she has signed on plain blank page. What was written in it was not read out to her. Her daughter used to live happily with her family and husband. No dowry was ever demanded. After the incident, her daughter has had two children. Husband and in-laws of her daughter took her to the hospital and informed her. Her daughter was not subjected to any kind of harassment by her husband and in-laws. Now her daughter is living happily residing at her in-laws' house. She has voluntarily given statement without any fear or pressure. All the accused are from her daughter's in-laws' family, hence she identify them.



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(c) **P.W. 3 Rakesh Kumar** during his *examination-in-chief* before the Court stated that his niece Puja Devi has filed this case. Her marriage took place about 10 years ago with Arvind Rai. After marriage, she went to her in-laws' house and still lives there. While cooking, Puja's body caught fire. Police has recorded her statement. He recognized all three accused persons present in the Court. He has been **declared hostile** on the request of prosecution. During *cross-examination* by defence he stated that no dowry

has ever been demanded from Puja Kumari and her family till date. Puja is currently living happily at her in-laws' house. After the incident, Puja has had 2 children with her husband. He further stated that he is voluntarily giving evidence, without any fear and pressure.

(d) **P.W. 4 Ram Iqbal** during his *examination-in-chief* before the Court stated that Puja Devi is the daughter-in-law of his village. About 5 years ago, she got burnt while cooking at her home. She was treated at PMCH, Patna. Police has not recorded his statement. He recognized all three accused persons present in the Court. During *cross-examination* by defence, he stated that Puja Kumari was admitted in PMCH by accused persons. No dowry has ever been demanded from her family till date. Puja is presently living happily at her in-laws' house. After the incident, Puja has had 2 children with her husband. He further stated that he is voluntarily giving evidence, without any fear and pressure.

10. During argument, Ld. Defence Lawyer, submitted that all prosecution witnesses including victim & informant of this case have not supported the prosecution case and they have been **declared hostile**. I/O & M/O of this case have not been examined. Hence, prosecution failed to prove the charges explained to above named accused persons. Therefore, they are eligible for acquittal in this case. Prosecution during argument couldn't say anything to counter this submission made by Ld. Counsel for the defence.

11. **P.W.1 (Victim/Informant), P.W.2 (Mother of Victim/Informant), P.W.3 (Mother of Victim/Informant),**

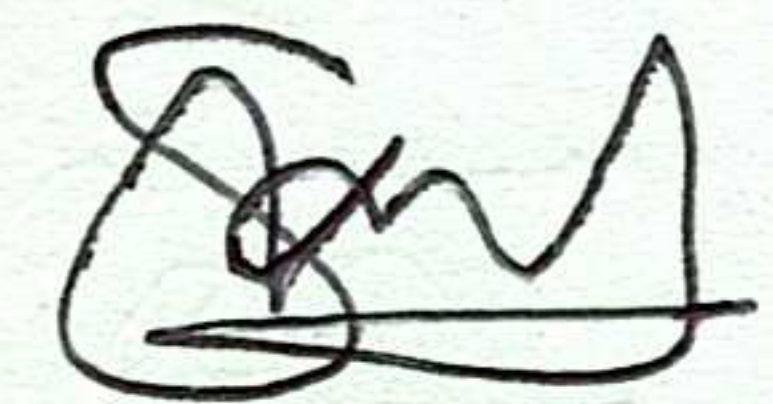


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during their *examination-in-chief* before the stated that Puja Kumari got burnt during cooking, due to bursting of stove. No accused persons demanded dowry from Puja Kumari. P.W. 4 during his examination-in-chief stated that Police has not recorded his statement. On the request of prosecution, they have been **declared hostile**. Prosecution couldn't procure any thing in support of its case, during their cross-examination. During *cross-examination* by defence they stated that they have voluntarily giving evidence, without any fear and pressure. All the accused are from her daughter's in-laws' family, hence they identify them. Investigating & Medical Officer of this case have not been examined by the prosecution and no reason has been assigned for the same. All this creates doubt about prosecution case. Moreover, there is no incriminating evidence is available on the record, against above named accused persons proved the charge of offences punishable **u/s 498A, & 307 r/w 34 IPC and 3 & 4 DP Act.**

12. Considering the entire facts & circumstances, evidences and other material available on record, submissions made by both side and discussion made above, this Court **find** that prosecution has failed to prove charges for offences punishable **u/s 498A, & 307 r/w 34 IPC and 3 & 4 DP Act** explained to above named all three accused persons, beyond reasonable doubt. Accordingly, this Court **hold** that all three accused persons *namely, Arvind Rai, Sumariya Devi & Dharmendra Rai* are not guilty of the offences as charged against them and they should be acquittal in the interest of justice.



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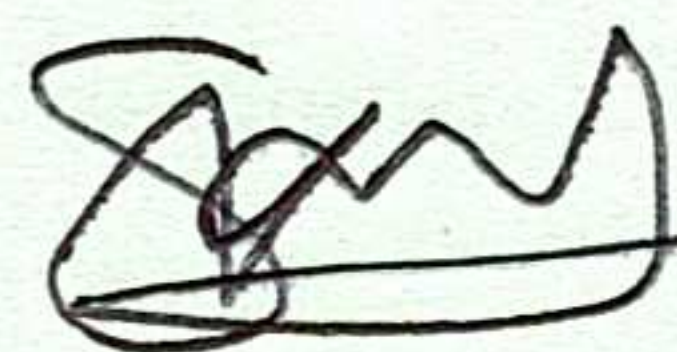


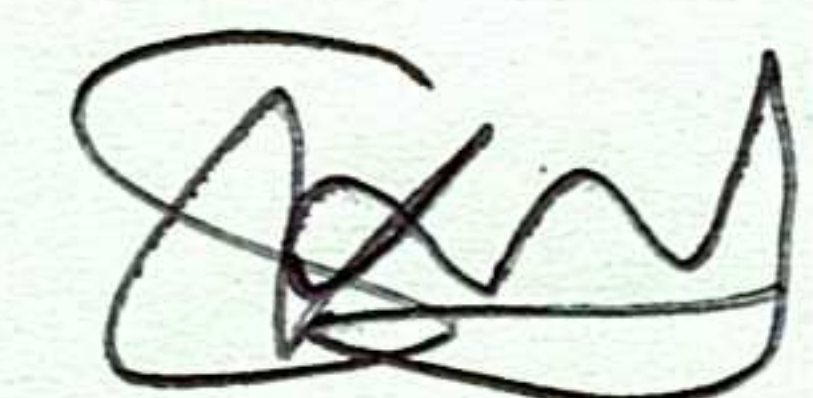
O R D E R

13. *In result*, all three accused namely, **Arvind Rai, Sumariya Devi & Dharmendra Rai** are **acquitted** from the charges of offenses punishable **u/s 498A, & 307 r/w 34 IPC and 3 & 4 DP Act** after giving benefits of doubt, due to lack of evidence. Since, they are already on bail, hence liabilities of their bailors are extended for **Six months** from today, in the light of the provisions of Section 437-A Cr.PC.

Typed & Corrected by me.

*Pronounced in the Open Court
on this 26th Day of May, 2026*

 26/5/2026
(Shailendra Kumar Singh)
Addl. Sessions Judge-IV,
Barh (Patna)

 26/5/2026
(Shailendra Kumar Singh)
Addl. Sessions Judge-IV,
Barh (Patna)



Form-C

**LIST OF PROSECUTION/DEFENCE/
COURT WITNESSES**

A. PROSECUTION WITNESS

RANK	NAME	NATURE OF EVIDENCE
P.W.1	Puja @ Sanju Kumari	Hostile Witness
P.W.2	Parmila Devi	Hostile Witness
P.W.3	Rakesh Kumar	Hostile Witness
P.W.4	Ram Iqbal	Hostile Witness

B. DEFENCE WITNESSES, IF ANY : **None**

C. COURT WITNESSES, IF ANY : **None**

LIST OF PROSECUTION/DEFENCE/COURT EXHIBITS

A. PROSECUTION :

Exhibit-1	:	Signature of informant on <i>ferdbyan</i>
Exhibit-1/1	:	Signature of Parmila Devi (PW-2) on <i>ferdbyan</i>

B. DEFENCE : **None**

C. COURT EXHIBITS : **None**

D. MATERIAL OBJECTS : **None**

Dated : 26/05/2026



(Shailendra Kumar Singh)
Addl. Sessions Judge-IV,
Barh (Patna)

[Signature] 26/5/2026

Date of Judgment	26.05.2026
Date of Reserving Judgment	26.05.2026
Uploading date	26.05.2026
Uploaded by	Shambhu Pr. Singh.