

In the Court of Deepak Kumar, Principal Sessions Judge, Sheohar**Sessions Trial No. -14/2025****(Purnahiya PS Case No.-60/2024)****CNR No. -BRS001-000152-2025****State Vrs. Satyendra Sah & Ors.**

FORM-A

In the Court of Principal Sessions Judge, Sheohar Present:- Sri Deepak Kumar, Principal Sessions Judge, Sheohar, <u>S.Tr. No.-14/2025</u> <u>(Purnahiya PS Case No.-60/2024)</u> <u>GR No.-608/2024</u> <u>CNR No. -BRS001-000152-2025</u> State Vrs. Satyendra Sah & Ors. Offence:- U/s-103(1)/3(5), 238/3(5), 140(1)/3(5) of BNS. (Date of Judgment:-04-05-2026)	
COMPLAINANT/INFORMANT	Shripati Devi, W/o Kishundeo Sah, R/o village– Parsauni Gop, Ward No.-9, PS- Purnahiya, District–Sheohar.
ACCUSED	1. Shripati Devi, W/o Kishundeo Sah, Aged- about 60 years, 2. Satyendra Sah, S/o Harishchandra Sah, Aged-about 43 years, 3. Chunnu Raut, S/o Late Devdhari Raut, Aged-about 40 years, All are R/o village– Parsauni Gop, PS- Purnahiya, District–Sheohar.
REPRESENTED BY COMPLAINANT/ INFORMANT	Sri Suresh Roy, Ld. Public Prosecutor
REPRESENTED BY ACCUSED PERSON	Sri Yogendra Sah, Ld. Advocate (Accused Shripati Devi & Chunnu Raut) Sri Amlesh Kumar, Ld. Advocate, (Accused Satyendra Sah)

FORM-B

Date of Offence	09.07.2024
Date of F. I. R.	10.07.2024
Date of Charge sheet	Charge Sheet No.-110/202, dated 15.10.2024
Date of Cognizance	21.12.2024

In the Court of Deepak Kumar, Principal Sessions Judge, Sheohar**Sessions Trial No. -14/2025****(Purnahiya PS Case No.-60/2024)****CNR No. -BRS001-000152-2025****State Vrs. Satyendra Sah & Ors.**

Date of Framing Charges	30.01.2025
Date of Commencement of Evidence	07.02.2025
Date on which judgment is reserved	25.03.2026
Date of judgment	04.05.2026
Date of the Sentencing order, if any	NA

Accused Details

Rank of the Accused	Name of Accused	Date of Arrest	Date of Release on Bail	Offence Charged with	Whether Acquitted or convicted	Sentence imposed	Period of Detention during Trial for purpose of section 428 of Cr.P.C.
01.	Shripati Devi	21.7.2024	Till date	U/s-103(1)/3(5), 238/3(5), 140(1)/3(5) of BNS.	Acquitted		
02.	Satyendra Sah	21.7.2024	Till date				
03.	Chunnu Raut	21.7.2024	Till date				

FORM-C**LIST OF PROSECUTION/DEFENCE/COURT WITNESS-****A. PROSECUTION :**

RANK	NAME	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
01.	Vishnudeo Sah	Prosecution Witness -01
02.	Gaurishankar Sah	Prosecution Witness -02
03.	Sugandhi Kumari	Prosecution Witness -03
04.	Dr. Bhupendra Kumar	Prosecution Witness -04
05.	Dr. Sandip Kumar	Prosecution Witness -05
06.	Shilpi Rani (Assistant Director RFSL, Muzaffarpur)	Prosecution Witness -06
07.	Birendra Paswan (Chaukidar)	Prosecution Witness -07

In the Court of Deepak Kumar, Principal Sessions Judge, Sheohar**Sessions Trial No. -14/2025****(Purnahiya PS Case No.-60/2024)****CNR No. -BRS001-000152-2025****State Vrs. Satyendra Sah & Ors.**

08.	Chanchal Kumar (I.O.)	Prosecution Witness -08
-----	-----------------------	-------------------------

B. DEFENCE WITNESS, if any ; -

RANK	NAME	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
-	-	-

C. COURT WITNESS, if any ;:-NIL

RANK	NAME	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
-	-	-

LIST OF PROSECUTION/DEFENCE/COURTS EXHIBITS**A. PROSECUTION;-**

Sr. No.	EXHIBIT NUMBER	DESCRIPTION
01.	Exhibit-1	Signature of witness Gaurishankar Sah on the inquest report (on the verified photocopy).
02.	Exhibit-1/1	Signature of witness Chanchal Kumar on the inquest report.
03.	Exhibit-2	Postmortem report of deceased Mausam Kumari dated 11-07-2024.
04.	Exhibit-3	Signature of witness Dr. Sandeep Kumar on RFSL Report No. 1450/2024.
05.	Exhibit-4	Signature of witness Shilpi Rani on RFSL Report No. 1451/2024.
06.	Exhibit-5	Computerized formal First Information Report (FIR)
07.	Exhibit-6	Endorsement on the written application.
08.	Exhibit-7	Forwarding (dispatch) of the dead body of Mausam Kumari for postmortem examination.

In the Court of Deepak Kumar, Principal Sessions Judge, Sheohar**Sessions Trial No. -14/2025****(Purnahiya PS Case No.-60/2024)****CNR No. -BRS001-000152-2025****State Vrs. Satyendra Sah & Ors.**

09.	Exhibit-8	Arrest memo of Shripati Devi.
10.	Exhibit-9	Arrest memo of accused Satyendra Sah.
11.	Exhibit-10	Arrest memo of accused Chunnu Raut.
12.	Exhibit-11	Seizure list dated 20-07-2024, time 20:55 hrs.
13.	Exhibit-12	Seizure list dated 20-07-2024, time 20:55 hrs.
14.	Exhibit-13	Malkhana (property room) register of Purnahiya Police Station for the year 2024-2025, serial no. 174.
15.	Exhibit-14	Section 63, Exhibit No. 49/2024, dated 10-07-2024.

B. DEFENCE ;

Sl. No.	EXHIBIT NUMBER	DESCRIPTION
01	Exhibit-A	Certified copy of formal FIR of Police Station Case No. 60/2024.

C. COURT EXHIBITS ; NIL

Sl. No.	EXHIBIT NUMBER	DESCRIPTION
-	-	-

D. MATERIAL OBJECTS ;

Sl. No.	MATERIAL OBJECT NUMBER	DESCRIPTION
01	Exhibit-M	One mobile phone of Itel Company, Mobile No. 7654202547.
02.	Exhibit-M/1	One mobile phone of Vivo Company, Mobile No. 6204377108.

In the Court of Deepak Kumar, Principal Sessions Judge, Sheohar
Sessions Trial No. -14/2025
(Purnahiya PS Case No.-60/2024)
CNR No. -BRS001-000152-2025
State Vrs. Satyendra Sah & Ors.

Present: Deepak Kumar
Principal Sessions Judge,
Sheohar

Sheohar Dated-04th May, 2026.

Sessions Trial No. -14/2025
(Purnahiya PS Case No.-60/2024)
CNR No. -BRS001-000152-2023

State

Vrs.

Satyendra Sah & Ors.

Charge framed under Section-
103(1)/3(5), 238/3(5), 140(1)/3(5)
of Bhartiya Nyay Sanhita.

Learned Lawyer for the State:- Sri Suresh Roy, Ld. P.P.

Learned Lawyer for the defence:- Sri Yognendra Sah,
Sri Amlesh kumar,

JUDGMENT

1. In the present case, total three accused persons, namely, (1) Shripati Devi, (2) Satyendra Sah, and (3) Chunnu Raut have been put on trial for offence punishable under Sections 103(1)/3(5), 238/3(5), and 140(1)/3(5) of the Bhartiya Nyay Sanhita.

In the Court of Deepak Kumar, Principal Sessions Judge, Sheohar

Sessions Trial No. -14/2025

(Purnahiya PS Case No.-60/2024)

CNR No. -BRS001-000152-2025

State Vrs. Satyendra Sah & Ors.

2. The prosecution case in brief is that the informant, Shripati Devi, wife of Kishun Dev Sah, alleged that on 09.07.2024, at about 4:00 AM, her daughter, Mausam Kumari, aged about 15 years and a student of Class IX, went missing from the house without her knowledge. Upon learning this, the informant made efforts to search for her daughter in the nearby areas and among relatives, but no information about her whereabouts could be obtained. The informant further stated that the mobile of her daughter was left at home. However, on her own mobile number 8873052357, a call was received on 08.07.2024 at 7:48 PM from mobile number 7258954042, during which the caller spoke with her daughter. The said mobile number belongs to Dheeraj Kumar, son of Munna Raut, who is a resident of the same village but does not stay there regularly and is not of good character. Suspicion has been raised by the informant that her daughter has gone with the said Dheeraj Kumar. She further stated that proper information regarding the incident can be obtained from the mother and other family members of the accused.

3. On the basis of the aforesaid written application, Purnahiya Police Station Case No. 60/2024 dated 10.07.2024 was registered under Sections 137(2), 140(3), 96, 3(5)/103(1), and 238 of the Bhartiya Nyay Sanhita, and investigation was taken up. Upon

In the Court of Deepak Kumar, Principal Sessions Judge, Sheohar

Sessions Trial No. -14/2025

(Purnahiya PS Case No.-60/2024)

CNR No. -BRS001-000152-2025

State Vrs. Satyendra Sah & Ors.

completion of investigation, the Investigating Officer, in compliance with the directions of the superior officer, submitted the charge-sheet incorporating the facts stated therein, which in substance is that the present case was instituted on the basis of written report submitted by the informant-cum-accused Shripati Devi, wife of Kishun Dev Sah, against the named accused Dheeraj Kumar, son of Munna Raut, and other family members, alleging that her minor daughter, Mausam Kumari, aged about 15 years, had been kidnapped for the purpose of marriage. During the course of investigation, including inspection of the place of occurrence, re-statement of the informant, and examination of witnesses, the case under Sections 137(2), 140(3), 96, and 3(5) of the Bhartiya Nyay Sanhita was initially found to be prima facie true.

However, upon consideration of the inquest report of the dead body of the victim Mausam Kumari, the post-mortem report, the confessional statement of the informant-cum-accused Shripati Devi, supervision notes, and Report No. 02, it transpired that offences under Sections 137(2), 140(3), 96, 3(5)/103(1), and 238 of the Bhartiya Nyay Sanhita were made out against the accused persons, namely, Shripati Devi, Satyendra Sah, Chunnu Raut. Accordingly, the aforesaid accused persons were found to be involved in the

In the Court of Deepak Kumar, Principal Sessions Judge, Sheohar

Sessions Trial No. -14/2025

(Purnahiya PS Case No.-60/2024)

CNR No. -BRS001-000152-2025

State Vrs. Satyendra Sah & Ors.

commission of the offence, arrested, and remanded to judicial custody. So far as the FIR-named accused Dheeraj Kumar, son of Munna Raut, is concerned, no involvement in the present case was found during investigation.

Charge-sheet No. 110/2024 dated 15.10.2024 has been submitted under Sections 137(2), 140(3), 96, 3(5)/103(1), and 238 of the Bhartiya Nyay Sanhita against the accused namely, (1) Shripati Devi, (2) Satyendra Sah, and (3) Chunnu Raut. Thereafter, the learned Sub-Divisional Judicial Magistrate, Sheohar, on 21.12.2024, took cognizance of the offence under Sections 137(2), 140(3), 96, 3(5)/103(1), and 238 of the Bhartiya Nyay Sanhita against the three accused persons (1) Shripati Devi, (2) Satyendra Sah, and (3) Chunnu Raut, and the case was committed to the Court of the Learned District and Sessions Judge.

04. In this case, charges were framed on 30.01.2025 against three accused persons, namely, (1) Shripati Devi, (2) Satyendra Sah, and (3) Chunnu Raut, under Sections 103 (1)/ 3 (5), 238/ 3(5) and 140 (1)/3 (5) of the Bhartiya Nyay Sanhita. The contents of the charges were read over and explained to them in Hindi, to which they pleaded not guilty and claimed to be tried.

In the Court of Deepak Kumar, Principal Sessions Judge, Sheohar
Sessions Trial No. -14/2025

(Purnahiya PS Case No.-60/2024)

CNR No. -BRS001-000152-2025

State Vrs. Satyendra Sah & Ors.

05. The main issue for consideration before the court is whether the prosecution has been successful in proving all the charges framed against the above-mentioned three accused persons beyond reasonable doubt with reliable evidence or not.

06. On behalf of the prosecution, in support of its case, besides the five witnesses mentioned in Column No. 13 of the charge-sheet, the evidence of three additional witnesses has been adduced, making total eight witnesses. These include, PW-1– Vishnudev Sah, PW-2 – Gauri Shankar Sah (hostile witness), PW-3 – Sugandhi Kumari (hostile witness), PW-4 – Dr. Bhupendra Kumar (medical witness), PW- 5 – Dr. Sandeep Kumar (medical witness and Assistant Director, RFSL, Muzaffarpur), PW-6 – Shilpi Rani (Assistant Director, RFSL, Muzaffarpur), PW-7 – Chowkidar-07/09 Birendra Paswan, and PW-8 – Sub-Inspector Chanchal Kumar (Investigating Officer).

07. In order to prove its case, the prosecution has exhibited the following documents, which are marked as under:

A. PROSECUTION:-

Sr. No.	EXHIBIT NUMBER	DESCRIPTION
01.	Exhibit–1	Signature of witness Gaurishankar Sah on the inquest report (on the verified photocopy).
02.	Exhibit–1/1	Signature of witness Chanchal Kumar on the

In the Court of Deepak Kumar, Principal Sessions Judge, Sheohar**Sessions Trial No. -14/2025****(Purnahiya PS Case No.-60/2024)****CNR No. -BRS001-000152-2025****State Vrs. Satyendra Sah & Ors.**

		inquest report.
03.	Exhibit-2	Postmortem report of deceased Mausam Kumari dated 11-07-2024.
04.	Exhibit-3	Signature of witness Dr. Sandeep Kumar on RFSL Report No. 1450/2024.
05.	Exhibit-4	Signature of witness Shilpi Rani on RFSL Report No. 1451/2024.
06.	Exhibit-5	Computerized formal First Information Report (FIR)
07.	Exhibit-6	Endorsement on the written application.
08.	Exhibit-7	Forwarding (dispatch) of the dead body of Mausam Kumari for postmortem examination.
09.	Exhibit-8	Arrest memo of Shripati Devi.
10.	Exhibit-9	Arrest memo of accused Satyendra Sah.
11.	Exhibit-10	Arrest memo of accused Chunnu Raut.
12.	Exhibit-11	Seizure list dated 20-07-2024, time 20:55 hrs.
13.	Exhibit-12	Seizure list dated 20-07-2024, time 20:55 hrs.
14.	Exhibit-13	Malkhana (property room) register of Purnahiya Police Station for the year 2024-2025, serial no. 174.
15.	Exhibit-14	Section 63, Exhibit No. 49/2024, dated 10-07-2024.

On behalf of the defence, the following exhibits have been marked, which are as follows—

B. DEFENCE ;

In the Court of Deepak Kumar, Principal Sessions Judge, Sheohar
Sessions Trial No. -14/2025

(Purnahiya PS Case No.-60/2024)

CNR No. -BRS001-000152-2025

State Vrs. Satyendra Sah & Ors.

Sl. No.	EXHIBIT NUMBER	DESCRIPTION
01	Exhibit-A	Certified copy of formal FIR of Police Station Case No. 60/2024.

08. PW-1 – Vishnudev Sah, has stated that Mausam Kumari was his niece. He has three brothers, namely Kishun Dev Sah, Raj Dev Sah, and himself. Mausam Kumari is the daughter of Kishun Dev Sah. Mausam Kumari has died. Her dead body was recovered from the north of the village in a pond. The inquest report of the dead body was prepared by the Investigating Officer, on which he signed as a witness.

In cross-examination on behalf of accused Shripati Devi, the witness states that his house is situated at a distance of 100 meters from the house of accused Shripati Devi. He had put his signature on the paper without reading it. No one told him what was written in the document. He is deposing in Court for the first time today. His statement was not recorded before the Investigating Officer. The place (pond) from where the dead body was recovered is about one kilometer away from his house. He has no knowledge as to how Mausam Kumari died.

In cross-examination on behalf of accused Chunnu Raut, the witness states that he resides continuously at his house.

In the Court of Deepak Kumar, Principal Sessions Judge, Sheohar
Sessions Trial No. -14/2025
(Purnahiya PS Case No.-60/2024)
CNR No. -BRS001-000152-2025
State Vrs. Satyendra Sah & Ors.

In cross-examination on behalf of accused Satyendra Sah, the witness states that accused Satyendra Sah is his grandson in relation.

9. PW-02 – Gauri Shankar Sah, has stated that the incident occurred about seven months ago. Mausam Kumari was his sister. She was abducted, and two days later, her dead body was found in a pond located about 400 meters north of his house. The cremation of the body took place in his presence. At the time of the incident, he was in Jagola. He came to know from the family members that his sister Mausam Kumari had run away from home. How she died, he do not know. The investigating officer had prepared the post-mortem report of Mausam Kumari, on which he had put his signature as a witness. The investigating officer did not record his statement. On the request of the prosecution, this witness was declared hostile.

In cross-examination on behalf of accused Shripati Devi, the witness stated that since the year 2012, he has been working outside his home. He reached only after the dead body was recovered. He had no conversation with his mother regarding the incident. He does not have any knowledge about how his sister died. The accused persons are his mother and villagers, and therefore he recognizes them.

In cross-examination on behalf of accused Satyendra Sah, stated that he has no knowledge about the contents written in the post-

In the Court of Deepak Kumar, Principal Sessions Judge, Sheohar
Sessions Trial No. -14/2025

(Purnahiya PS Case No.-60/2024)

CNR No. -BRS001-000152-2025

State Vrs. Satyendra Sah & Ors.

mortem report. Satyendra Sah does not visit his house, nor does any member of his family visit Satyendra Sah's house. Satyendra Sah is not related to him in any way.

In cross-examination on behalf of accused Chunnu Raut, stated that Shripati Devi and Chunnu Raut belong to different castes. The police station is located at a distance of about 2 to 2.5 kilometers from his house.

10. PW-03 – Sugandhi Kumari, has stated that Mausam Kumari was her elder sister. The incident occurred about eight months ago. On the day of the incident, she had gone to a wedding nearby at around 6:00 PM. She returned home from the wedding at around 11:00 PM at night. Her sister was not at home at that time. She do not know where her sister had gone. After three days, the dead body of Mausam Kumari was found in a pond in the village towards the north. She do not know how Mausam Kumari died. The investigating officer did not record her statement. On the request of the prosecution, this witness was declared hostile.

In cross-examination on behalf of accused Chunnu Raut, stated that Chunnu Raut is her co-villager, therefore she knows him. She always stays at her home.

In the Court of Deepak Kumar, Principal Sessions Judge, Sheohar
Sessions Trial No. -14/2025
(Purnahiya PS Case No.-60/2024)
CNR No. -BRS001-000152-2025
State Vrs. Satyendra Sah & Ors.

In cross-examination on behalf of accused Satyendra Sah, stated that when her sister left home, she did not return. Satyendra Sah has no relation with her family. His house is situated at a distance of about 15–20 houses from her house. Satyendra Sah does not visit her house.

In cross-examination on behalf of accused Shripati Devi, stated that she was not at home when her sister left the house. She does not know how long before her arrival her sister Mausam had left. Her statement was not recorded by the police.

11. PW-04 – Dr. Bhupendra Kumar, deposed that on dated-11-07-2024, he was posted as Medical Officer, Sadar Hospital, Sheohar and on that day at about 03:30 PM conducted the postmortem on the dead body of Mausam Kumari, Female, aged about-15 years, D/o Krishandev Sah, District-Sheohar. The dead body was identified by 1. Chaukidar-7/09 Birendra Paswan, 2. Chaukidar-7/13 Nagendra Ram. The dead body was of average built, rigor mortis was in disappearing stage, the whole body swell and foul smell and maggots were found present. The strangulation ligature mark was found around the neck, both chamber of heart was found empty. All vital organs were found intact but were in decomposition state, trachea, vein and artery found

In the Court of Deepak Kumar, Principal Sessions Judge, Sheohar

Sessions Trial No. -14/2025

(Purnahiya PS Case No.-60/2024)

CNR No. -BRS001-000152-2025

State Vrs. Satyendra Sah & Ors.

collapsed, on the neck region, time since death and conduct of postmortem is within four days.

On the basis of external and internal finding he opined that regarding cause of death is due to strangulation of neck (Crop like substance), which developed Asphyxia leading to respiratory-cardiac arrest.

The postmortem report of Mausam Kumari, dated-11-07-2024 was prepared on printed form under his pen and signature.

Cross-examination on behalf of Accused Chunnu Raut.

4. The postmortem report is not bearing mention of P.S. case no. and the station diary number therein. The witness further stated that no such information is given at the time of postmortem.

5. The whole body of deceased was in the state of decomposition therefore the mark of injury could not be observed thereon.

6. It is not true that the report is not scientific.

Cross-examination on behalf of Accused Satyendra Sah.

7. The sign of rigor mortis begins within six hours of the death of deceased.

8. The time elapsed since death has been ascertained on the basis of rigor mortis and other features like decomposition found of the body of deceased.

In the Court of Deepak Kumar, Principal Sessions Judge, Sheohar
Sessions Trial No. -14/2025

(Purnahiya PS Case No.-60/2024)

CNR No. -BRS001-000152-2025

State Vrs. Satyendra Sah & Ors.

9. The dimension of ligature mark found on the neck of deceased is mentioned in the postmortem report.

10. It is there in the postmortem report that the ligature has been caused to deceased with the crop like substance.

11. The dimension of ligature mark corresponds the object with which the strangulation is made.

12. It is not true that the report submitted by me is not scientific.

Cross-examination on behalf of Accused Shripati Devi.

13. Ante-mortem injury mark remains on the body till the body finally decomposes.

12. PW-05 – Dr. Sandip Kumar, has deposed that on dated-31.01.2025, he was posted as Assistant Director RFSL, Muzaffarpur. On the same date he examined Viscera of Mausam Kumari, aged about 15 Years, D/o Kisundev Sah.

Description of Article.

i. Content in the parcel-All the nine plastic container contained some portion of Visceral organs.

ii Result of examination-No metallic, alkaloidal, glycosidal, pesticidal or volatile poison could be detected in the contents of all the nine plastic container as described above.

In the Court of Deepak Kumar, Principal Sessions Judge, Sheohar

Sessions Trial No. -14/2025

(Purnahiya PS Case No.-60/2024)

CNR No. -BRS001-000152-2025

State Vrs. Satyendra Sah & Ors.

2. The forensic report of Mausam Kumar, dated-31.01.2025 is prepared on printed form under his pen and signature which he identified.

Cross-examination on behalf of Accused Satyendra Sah.

3. The report submitted by him is not containing mention of the method with which he examined the Viscera.

4. He was requisitioned to submit report by the Court of Learned SDJM, Sheohar.

Cross-examination on behalf of Accused Chunnu Raut.

6. His office received the containers of viscera on 08.10.2024.

Cross-examination on behalf of Accused Shripati Devi.

8. Cross-examination declined.

13. PW-06 – Shilpi Rani deposed that on dated-26.10.2024, she was posted as Assistant Director RFSL, Muzaffarpur. On the same date she examined suspected blood samples which was sent by I.O. through the Court of Ld. SDJM, Sheohar.

2. Description of Article.

The exhibit received in one wooden box, which contained nine sealed paper packets marked as A to I respectively.

i. The packet marked A contained old dirty blue color small cloth piece said to be bed sheet cutting.

In the Court of Deepak Kumar, Principal Sessions Judge, Sheohar

Sessions Trial No. -14/2025

(Purnahiya PS Case No.-60/2024)

CNR No. -BRS001-000152-2025

State Vrs. Satyendra Sah & Ors.

ii. The packet marked B contained old dirty pink color cloth piece said to be gudri.

iii. The packet marked C contained gauze swab.

iv. The packet marked D contained filter paper cutting.

v. The packet marked E contained old dirty blue cloth piece adhered with grasses.

vi. The packet marked F contained old dirty light green leggings.

vi. The packet marked G contained old dirty Chatai (mat).

vii. The packet marked H contained gauze swab said to be collected from slipper.

Viii. The packet marked she contained old dirty pink printed panty.

3. Result of examination-

i. Blood has been detected in the exhibits marked B and I.

ii. Blood could not be detected in any of the exhibits marked A, C, D, E, F, G and H.

iii. Opinion-On other points is being furnished separately by DNA section FSL, Patna.

4. The FSL report dated-26-10-2024 is prepared on the computer set maintained in her office on her instruction by typist Madhurendra Kumar Kunwar which was printed out through the printer maintained

In the Court of Deepak Kumar, Principal Sessions Judge, Sheohar

Sessions Trial No. -14/2025

(Purnahiya PS Case No.-60/2024)

CNR No. -BRS001-000152-2025

State Vrs. Satyendra Sah & Ors.

in the office and the same bears her writing and signature thereon and counter signed by Director RFSL, Muzaffarpur. Which she identified.

Cross-examination on behalf of Accused Satyendra Sah.

5. She have not conducted serological examination of the sample sent to her.

Cross-examination on behalf of Accused Chunnu Raut.

7. The object which she examined is not before her in the Court.

Cross-examination on behalf of Accused Shripati Devi.

8. Cross-examination declined.

14. PW-07 – Birendra Paswan (Chaukidar-07/09) deposed that he is posted as Chaukidar at Purnahiya Police Station. His Chaukidar Beat number is 07/09. As per the instructions of the Officer-in-Charge of Purnahiya Police Station, he has produced the Malkhana Register for the year 2024–2025 of Purnahiya Police Station and the seized articles related to Purnahiya Police Station Case No. 60/2024 before the Court today.

In cross-examination on behalf of accused Chunnu Raut, stated that he cannot say whether the signature/verification of any officer is recorded on the said Malkhana Register or not. He also stated that he cannot tell what is inside the packet of the exhibited seized article that

In the Court of Deepak Kumar, Principal Sessions Judge, Sheohar
Sessions Trial No. -14/2025

(Purnahiya PS Case No.-60/2024)

CNR No. -BRS001-000152-2025

State Vrs. Satyendra Sah & Ors.

he has brought. He further stated that he does not know whether the packet of the seized article is sealed or not.

In cross-examination on behalf of accused Satyendra Sah, stated that the seized exhibit articles were not kept by him. He is not the Malkhana In-charge.

15. PW-08 – Chanchal Kumar (I.O.), has stated that on 10.07.2024 he was posted at Purnahiya Police Station as Additional Station In-charge. He stated that the computerized formal FIR of Purnahiya Police Station Case No. 60/24 was prepared by him in his handwriting and signature in his capacity as the then Additional Station In-charge. He further stated that the written application of informant Shripati Devi in this case bears his handwriting and signature. He stated that on 10.07.2024 itself, he took over the investigation of the case and started the investigation. The informant's application was entered into the case diary. He recorded the statement of the informant. In her statement, the informant stated that the name of the boy to whom her daughter used to talk to Neeraj Kumar, but in the application his name was written as Dhiraj Kumar. Thereafter, he recorded the statement of witness Vishun Dev Sah. He stated that the place of occurrence is about three kilometers from Purnahiya Police Station, located at village Parsauni Gop, in the house of the informant which is made of

In the Court of Deepak Kumar, Principal Sessions Judge, Sheohar

Sessions Trial No. -14/2025

(Purnahiya PS Case No.-60/2024)

CNR No. -BRS001-000152-2025

State Vrs. Satyendra Sah & Ors.

thatched and mud structure. He further stated that on 11.07.2024, the Station House Officer informed him over phone that the dead body of the kidnapped girl in Purnahiya PS Case No. 60/2024 had been found in Sarai pond in village Parsauni Gop. He then reached the place of occurrence. Thereafter, he prepared the inquest report of the deceased. In the presence of witnesses Gaurishankar Sah and Kishun Dev Sah. He further stated that he prepared the seizure-cum-inquest report of the dead body for post-mortem examination, which also bears his handwriting and signature. He stated that thereafter, the FSL team inspected the place of occurrence and collected suspected blood samples from the bed and other places and submitted a report. He further stated that he sent reports to the Superintendent of Police regarding CDR and SDR of mobile numbers 6204377108, 6202468055, 8227807890, and 9135435262. He recorded the statement of witness Sumitra Devi, which was entered into the case diary. He further stated that co-accused Shripati Devi's confessional statement was recorded, in which she supported the occurrence. He also recorded the statement of witness Sugandhi Kumari. From accused Satyendra Sah, an ITEL keypad mobile phone and a black, white, and red Hero Super Splendor Plus motorcycle bearing registration number BR06AZ 7042 were seized. He further stated that

In the Court of Deepak Kumar, Principal Sessions Judge, Sheohar

Sessions Trial No. -14/2025

(Purnahiya PS Case No.-60/2024)

CNR No. -BRS001-000152-2025

State Vrs. Satyendra Sah & Ors.

the seized mobile phone of ITEL company, recovered from Satyendra Sah, bearing mobile number 7654202547, was entered in the Malkhana register bearing MR No. 35/2024 and produced before the court through Constable Birendra Paswan. He stated that another Vivo company mobile phone recovered from Chunnu Raut bearing number 6204377108, IMEI numbers 867263044419659 and 86726304419642, was also produced before the court. He stated that these seized articles were entered in the Malkhana register of Purnahiya Police Station for the year 2024–25 under serial No. 174, Case No. 60/2024, and kept in safe custody. On 23.07.2024, the FSL report of the deceased Mausam Kumari was submitted before the Court. Thereafter, the post-mortem report of the deceased was received and attached to the case diary. On 26.07.2024, CDR and SDR of mobile number 7258954042 were obtained. The certificate under the Indian Evidence Act (Exhibit No. 49/2024 dated 10.07.2024) was prepared by the technical branch and bears their signatures, which he identifies. On 27.07.2024, the criminal history of Satyendra Sah in Purnahiya Police Station Case No. 38/2013 under Sections 341, 323, 325, 504, 354, 379, 34 IPC was entered in the case diary. On 10.08.2024, CDR and SDR of mobile numbers 8873052357 (Shripati Devi), 9135435262 (Satyendra Sah), and 6204377108 (Chunnu Raut) were obtained. On 08.10.2025, the

In the Court of Deepak Kumar, Principal Sessions Judge, Sheohar

Sessions Trial No. -14/2025

(Purnahiya PS Case No.-60/2024)

CNR No. -BRS001-000152-2025

State Vrs. Satyendra Sah & Ors.

viscera and seized exhibits of the deceased Mausam Kumari were deposited at FSL Muzaffarpur. Thereafter, on 15.10.2024, charge sheet No. 110/2024 was submitted against accused Shripati Devi, Satyendra Sah, and Chunnu Raut under Sections 137(2), 140(3), 96, 3(5), 103(1), 238 BNS before the court. He identified all three accused present in court.

In cross-examination (on behalf of accused Satyendra Sah), stated that he conducted inspection of the place of occurrence between 8:00 PM and 9:30 PM on 10.07.2024. During inspection, he did not find any suspicious object or sign of struggle at the place of occurrence. While preparing the inquest report, the deceased was wearing a blue colored kurta and red leggings. No other suspicious injury was found on her body except a ligature mark on the neck, but this was not mentioned in the inquest report. On 13.07.2024, the FSL team visited the place of occurrence and submitted a report which is on record. He stated that no independent witness was present at the time of FSL inspection. He could not state the exact distance and direction between the house of Satyendra Sah and Shripati Devi, but it is approximately 100–150 meters. There are about five to seven houses between both places. He stated that there is no relationship between Satyendra Sah and Shripati Devi, rather, they belong to the

In the Court of Deepak Kumar, Principal Sessions Judge, Sheohar

Sessions Trial No. -14/2025

(Purnahiya PS Case No.-60/2024)

CNR No. -BRS001-000152-2025

State Vrs. Satyendra Sah & Ors.

same caste group. He did not conduct blood group test of the deceased. He recorded the confessional statement of Shripati Devi in the presence of woman constable Suma Kumari (Batch No. 286). Call details records of mobile numbers 8873052357 and 7258954042 show conversation between them. He denied that he did not record the confessional statement of Shripati Devi.

In cross-examination (on behalf of accused Shripati Devi), he deposed that the place of occurrence is the house of Shripati Devi, which is about 500 meters from her own house. At the time of recording the place of occurrence, accused Shripati Devi and her brother-in-law Vishun Dev Sah were present. There are about 40–50 houses between the place of occurrence and Shripati Devi's house. Statements of all residents between the two places were not recorded as they were not available.

In cross-examination (on behalf of accused Chunnu Raut), he stated that no blood was found at the place of occurrence during inspection. Statement of Vishun Dev Sah was recorded from the neighboring area. He did not prepare the sketch map of the place of occurrence. At the time of preparing the inquest report, the cause of death appeared to be drowning. He did not record statements of witnesses of seizure list nor made them witnesses in the charge sheet.

In the Court of Deepak Kumar, Principal Sessions Judge, Sheohar

Sessions Trial No. -14/2025

(Purnahiya PS Case No.-60/2024)

CNR No. -BRS001-000152-2025

State Vrs. Satyendra Sah & Ors.

The plastic box in which mobile phone was produced in court was tied with thread but was not sealed. The Malkhana register did not bear verification endorsement.

16. After closure of prosecution evidence and statement of accused under Section 313 of Code of Criminal Procedure the case was fixed for defence evidence. Defence did not produce any witness for evidence as such defence evidence was closed on 16.02.2026 and the case was fixed for argument. In examination under Section 313 of Code of Criminal Procedure on 06.02.2026, the accused have said that they have heard the evidence of witnesses and it is false to say that they were involved in occurrence on 09.07.2024. In defence they have said that they are innocent.

FINDING

17. From the above mentioned evidence which has come on record during the course of trial now it is to be decided whether the accused have committed the offence and the prosecution has been able to prove its case against the accused beyond all reasonable doubt.

18. On behalf of the prosecution, the learned public prosecutor submitted that it is not in doubt that the deceased has been murdered. After finding allegations to be true against them charge-sheet was filed and subsequently charge was framed. Evidence of I.O. is

In the Court of Deepak Kumar, Principal Sessions Judge, Sheohar

Sessions Trial No. -14/2025

(Purnahiya PS Case No.-60/2024)

CNR No. -BRS001-000152-2025

State Vrs. Satyendra Sah & Ors.

corroborated by other witnesses and doctor. Informant of this case is also accused and prosecution has been able to prove her role in killing of her daughter.

19. On the other hand, on behalf of the defence, the learned defence counsel submitted that confession before police has no evidentiary value in the eye of law. Body has not been recovered on the basis of confessional statement of accused persons. None of the witnesses have said that accused persons killed the deceased. There is no eye witness to the occurrence.

20. The learned defence counsel further submitted that out of total eight witnesses examined by the prosecution before the court, three witnesses—namely, PW-01, Vishnudev Sah (uncle of the deceased in the present case, declared a hostile witness), PW-02, Gaurishankar Sah (brother of the deceased, declared a hostile witness), and PW-03, Sugandhi Kumari (sister of the deceased, declared a hostile witness) have been declared hostile by the prosecution and have not supported the prosecution case in any manner. The remaining five witnesses are official and formal witnesses. Thus, the prosecution has completely failed to prove the charges levelled against all the three accused persons.

In the Court of Deepak Kumar, Principal Sessions Judge, Sheohar

Sessions Trial No. -14/2025

(Purnahiya PS Case No.-60/2024)

CNR No. -BRS001-000152-2025

State Vrs. Satyendra Sah & Ors.

21. After hearing the argument of both sides, perusing the materials available on record, the evidence, and the statements of the witnesses produced by the prosecution, it is evident that in the present case, out of a total of eight witnesses examined by the prosecution before the court, three witnesses, namely Prosecution Witness No. 01 Vishnudev Sah (uncle of the deceased in the present case, declared a hostile witness), PW No. 02 Gaurishankar Sah (brother of the deceased, declared a hostile witness), and PW No. 03 Sugandhi Kumari (sister of the deceased, declared a hostile witness), have been declared hostile by the prosecution, and these three witnesses have not supported the prosecution case. The remaining five witnesses are official and formal witnesses, which include PW No. 04 Dr. Bhupendra Kumar (medical witness, who conducted the post-mortem examination of the deceased in the present case), PW No. 05 Dr. Sandeep Kumar (medical witness, Assistant Director, RFSL, Muzaffarpur), PW No. 06 Shilpi Rani (Assistant Director, RFSL, Muzaffarpur), PW No. 07 Constable No. 07/09 Birendra Paswan, and PW No. 08 Investigating Officer, P.S. Chanchal Kumar, of the present case.

PW-01, Vishnudev Sah, who is not an eyewitness of the incident and is the uncle of the deceased in the present case, stated in his chief examination that he does not mention the date and time of

In the Court of Deepak Kumar, Principal Sessions Judge, Sheohar
Sessions Trial No. -14/2025

(Purnahiya PS Case No.-60/2024)

CNR No. -BRS001-000152-2025

State Vrs. Satyendra Sah & Ors.

the incident. He mainly stated that the deceased was his niece, that her dead body was recovered from Uttar Pokhara of the village, that the post-mortem report of deceased Mausam Kumari was prepared by the Inspector, that he identified it as a witness, and that he identified the accused persons. However, in cross-examination, it was mainly stated that he put his signature on papers without reading them, did not know what was written in the papers, did not give any statement before the Inspector, the pond from which the dead body was recovered was about one kilometer away from his house, he had no knowledge as to how Mausam Kumari died, and in the cross-examination conducted by accused Satyendra Sah, he stated that the accused was his relative (nephew). Thus, from the statements given in chief and cross-examination of this witness, contradictions arise, and from his testimony no such fact emerges which indicates the involvement of the accused in the incident.

PW-02 – Gaurishankar Sah, who is the brother of the deceased Mausam Kumari and is not an eyewitness of the incident, and who has been declared hostile by the prosecution, stated in his chief examination that the incident occurred about seven months ago, she was abducted and two days later her dead body was found from a pond about 400 meters north of her house. He also stated that the

In the Court of Deepak Kumar, Principal Sessions Judge, Sheohar

Sessions Trial No. -14/2025

(Purnahiya PS Case No.-60/2024)

CNR No. -BRS001-000152-2025

State Vrs. Satyendra Sah & Ors.

cremation of the body took place in his presence. At the time of the incident he was at Gajola and he came to know from family members that his sister had run away from home. He did not know how she died.

In cross-examination he deposed that outside at the time of the incident, and he came to the village only after the recovery of the body. He also stated that he had no knowledge of the contents written in the post-mortem report. Thus, from this witness's testimony also, no such fact emerges that proves that the accused caused the incident or were involved in it.

PW-03 – Sugandhi Kumari, who is the younger sister of the deceased Mausam Kumari and has also been declared hostile by the prosecution, stated in her chief examination that Mausam Kumari (deceased) was her elder sister, the incident took place about eight months ago and on the day of the incident at around 6 PM she had gone to a wedding nearby. She returned home from the wedding at 11 PM, and her sister was not at home at that time. She did not know where her sister had gone, and after three days her sister's dead body was found in Uttar Pokhara of the village. She also stated that she did not know how Mausam Kumari died.

In the Court of Deepak Kumar, Principal Sessions Judge, Sheohar
Sessions Trial No. -14/2025
(Purnahiya PS Case No.-60/2024)
CNR No. -BRS001-000152-2025
State Vrs. Satyendra Sah & Ors.

PW-04 – Dr. Bhupendra Kumar, the medical witness who conducted the post-mortem examination of the deceased Mausam Kumari, stated in his testimony that it is evident that the death of the deceased was caused due to strangulation (throttling). However, from this it cannot be established that the accused persons of the present case had strangled the deceased, and therefore caused her death.

PW-05 - Dr. Sandip Kumar (Medical Witness, Assistant Director, RFSL, Muzaffarpur), in her chief examination, identified her signature on the postmortem report of the deceased “Mausam Kumari” produced in the present case and marked it as Exhibit-3. She also identified her signature on RFSL report No. 1450/2024. Thus, from the testimony of this medical witness, no fact emerges indicating that the accused persons were involved in the occurrence or had any role in the incident.

PW-06 - Dr. Shilpi Rani (Assistant Director, RFSL, Muzaffarpur), in her chief examination, examined the materials recovered from near the dead body of the deceased “Mausam Kumari” and identified her signature on RFSL report No. 1451/2024, which was marked as Exhibit-4. From her testimony also, no fact comes on record showing involvement of the accused persons in the occurrence.

In the Court of Deepak Kumar, Principal Sessions Judge, Sheohar

Sessions Trial No. -14/2025

(Purnahiya PS Case No.-60/2024)

CNR No. -BRS001-000152-2025

State Vrs. Satyendra Sah & Ors.

PW-07. Birendra Paswan (Chowkidar-07/09, Purnahiya Police Station), in his chief examination, stated that on the instructions of the Officer-in-Charge, Purnahiya Police Station, he produced the seized articles kept in the malkhana register of Purnahiya Police Station, Case No. 60/2024 before the Court. However, during cross-examination, he could not state whether any official verification was recorded on the malkhana register, what was contained in the packet of the seized articles, whether the packet was sealed or not, and he expressed ignorance about these facts. Thus, from his testimony also, no fact emerges regarding the occurrence or the involvement of the accused persons.

PW-08 - Chanchal Kumar (Investigating Officer), in his chief examination, stated that he himself prepared the computerized formal FIR of Purnahiya Police Station Case No. 60/2024 in his handwriting and signature. On 11.07.2024, on being informed by the Station House Officer over phone, he reached the place of occurrence. In the presence of the deceased's father Kishun Dev Sah and witness Gaurishankar Sah, he prepared. He prepared the challan for postmortem of the deceased Mausam Kumari. He further stated that the FSL team inspected the place of occurrence and submitted its report. He submitted reports to the Superintendent of Police regarding

In the Court of Deepak Kumar, Principal Sessions Judge, Sheohar

Sessions Trial No. -14/2025

(Purnahiya PS Case No.-60/2024)

CNR No. -BRS001-000152-2025

State Vrs. Satyendra Sah & Ors.

mobile numbers 6204277108, 6202468055, 8227807890, and 9135435262 for CDR and SDR purposes. He recorded statements of witnesses Sumitra Devi and the informant Shripati Devi and entered them in the case diary. He recorded the confessional statement of accused Shripati Devi and supported the occurrence. He further stated that an ITEL mobile phone bearing number 7654202547 seized from Chunnu Raut was produced in Court. On 23.07.2024, seized articles prepared by FSL were submitted before the court. On 26.07.2024, CDR and SDR of mobile number 7258954042 were obtained and certificate was prepared by the technical branch officer. He collected CDR and SDR of mobile numbers of the accused persons. He deposited seized exhibits to FSL Muzaffarpur and on 15.10.2024 submitted charge sheet No. 110/2024 under Sections 137(2), 140(3), 96, 3(5), 103(1), and 238 of BNS against Shripati Devi, Satyendra Sah, and Chunnu Raut before the court. However, during cross-examination, the Investigating Officer stated that during inspection of the place of occurrence, no suspicious object or sign of struggle was found. At the time of preparing the inquest report, the deceased was wearing a blue kurta and red leggings, but no other suspicious injury was found on the body except a mark on the neck which appeared to be due to strangulation, though it was not specifically mentioned in

In the Court of Deepak Kumar, Principal Sessions Judge, Sheohar

Sessions Trial No. -14/2025

(Purnahiya PS Case No.-60/2024)

CNR No. -BRS001-000152-2025

State Vrs. Satyendra Sah & Ors.

the inquest report. He admitted there was no prior relationship between them except being from the same community. He also stated that no blood was found at the place of occurrence. No public witness from the locality was examined. The mobile phone packets were not properly sealed, and there was no proper endorsement on the malkhana register. Thus, from his testimony, apart from the confessional statement of accused Shripati Devi, no independent or corroborative evidence emerges to prove the involvement of the accused persons in the occurrence. The confessional statement made before police has no legal evidentiary value. Hence, from the entire prosecution evidence, it appears that the case is primarily based on the alleged confessional statement of accused Shripati Devi recorded during police investigation, which is not admissible in law. No eyewitness of the occurrence has been examined. None of the prosecution witnesses claimed to have seen the incident. Three witnesses declared hostile are the maternal uncle, brother, and sister of the deceased. The postmortem report confirms death due to strangulation, but no witness has stated that they saw the accused committing the act. No technical or scientific evidence has been produced linking the accused to the crime. Thus, no conclusive proof of involvement of the accused persons in the occurrence has been

In the Court of Deepak Kumar, Principal Sessions Judge, Sheohar

Sessions Trial No. -14/2025

(Purnahiya PS Case No.-60/2024)

CNR No. -BRS001-000152-2025

State Vrs. Satyendra Sah & Ors.

established. Chain of circumstances linking the accused with the charged offence is missing. No motive for killing the deceased by the accused persons is on record. Mere suspicion is not sufficient for conviction in particular, in case based purely on circumstantial evidence.

From the above facts, circumstances, and upon consideration/evaluation of the evidence available on the record file, I reach to the conclusion that in the present case, all three accused persons, namely, (1) Shripati Devi, (2) Satyendra Sah, and (3) Chunnu Raut have not committed the charged offence. The prosecution has failed to prove the charges levelled against the aforesaid three accused persons beyond all reasonable doubt. In such a situation, the accused persons are entitled to be acquitted in the absence of evidence.

22. Therefore, this court holds the aforesaid three accused persons, namely, (1) Shripati Devi, (2) Satyendra Sah, and (3) Chunnu Raut, not guilty and thus are acquitted for offences charged under Sections 103 (1)/3 (5), 238/ 3(5), 140 (1)/ 3 (5) of the Bhartiya Nyay Sanhita, due to lack of sufficient prosecution evidence. They, along with their sureties, are discharged from the liability of their bond.

All the three accused persons, namely, (1) Shripati Devi, (2) Satyendra Sah, and (3) Chunnu Raut, are in judicial custody.

In the Court of Deepak Kumar, Principal Sessions Judge, Sheohar

Sessions Trial No. -14/2025

(Purnahiya PS Case No.-60/2024)

CNR No. -BRS001-000152-2025

State Vrs. Satyendra Sah & Ors.

Therefore, an order is passed for their release from judicial custody.

The office is directed to issue the release order in this regard.

The judgment having been dictated, corrected and signed by me
and is pronounced in the open Court today on 04.05.2026.

Dictated and corrected by me.

Sd/-

(Deepak Kumar)

Principal Sessions Judge,

Sheohar

Dated: 04.05.2026

Sd/-

(Deepak Kumar)

Principal Sessions Judge,

Sheohar

Dated: 04.05.2026

Date of Judgment

04.05.2026

Date of Reserving Judgment

02.05.2026

Uploading Date

04.05.2026

Uploaded By

Sanjeev Kumar, (Steno)