

IN THE COURT OF ADDITIONAL DISTRICT & SESSIONS JUDGE
2ND COURT, COOCH BEHAR.

Present: Smt. Mandakranta Saha,
Additional Sessions Judge,
2nd Court, Cooch Behar.

Judgment delivered on : 24th day of June, 2026

SESSIONS Case No. 35 of 2018 (CIS No 35/2018)
TRIAL NO. 13(06)2018
C.N.R. No.-WBCB01-001247-2018

Ref : Kotwali Police Station Case No. 345/2014 dated 29.04.2014
u/s 498A/304B/34 of IPC and Section 3 & 4 of Dowry Prohibition Act

State of West Bengal

Vs

- 1) Ranjan Bhadra, S/o Haridas Bhadra of village Dewanhat Uttarpara, PS-Kotwali, Dist. Cooch Behar (A1)
 - 2) Haridas Bhadra, S/o Late Iswar Bhadra of village Dewanhat Uttarpara, PS-Kotwali, Dist. Cooch Behar (A2)
 - 3) Gita Bhadra, W/o Haridas Bhadra of village Dewanhat Uttarpara, PS-Kotwali, Dist. Cooch Behar (A3)
 - 4) Iti Bhadra, w/o Pulak Bhadra of village Dewanhat Uttarpara, PS-Kotwali, Dist. Cooch Behar (A4)
 - 5) Anita Bhadra, w/o Hriday Bhadra of village Dewanhat Uttarpara, PS-Kotwali, Dist. Cooch Behar (A5)
-Accused Persons.

Charge U/s- 498A/304B/34 of IPC and Section 3 & 4 of Dowry Prohibition Act

J U D G M E N T

Form-B

Date of Offence	For 05 years till 23.04.2014
Date of F.I.R.	28.04.2014
Date of charge sheet	04.03.2015
Date of framing charge	28.06.2018
Date of commencement of evidence	20.06.2019
Date of judgement	24.06.2026

Factual matrix leading to initiation of the proceeding is that – the deceased got married to Ranjan Bhadra about 5 years back from the date of lodging complaint. After marriage the victim resided at her matrimonial home. Out of their marriage one son was born. Since 2 years of her marriage she had been subjected to physical and mental by her husband and in laws. Pressure was created upon her to bring more dowry from parental home. She was abused in filthy words by her inlaws.

On 23.04.2014 approximately at 8 AM the accused persons with intention to kill the victim, assaulted her by fist and blows and kicks. She therefore suffered bleeding injury in her ears. Due to kick and fist of Ranjan Bhadra the victim succumbed to her injuries.

On the basis of the complaint Kotwali P.S case No. 345/2014 dated 29.04.2014 u/s 498A/302/34 IPC read with section 3&4 of Dowry Prohibition Act was initiated.

Charge was framed U/s 498A/302/34 IPC against all the accused persons namely Sanjib Mahapatra. They pleaded not guilty and claimed to be tried.

Prosecution has examined twelve (12) witnesses for proving the case. The accused persons are examined u/s 313 Code of Criminal Procedure, 1973 and they claimed themselves as innocent.

No evidence from the side of the defence is adduced.

Points for Determination

Whether the prosecution has been able to prove the offence U/s 498A/302/34 IPC against the accused persons beyond reasonable doubts?

List of Prosecution Witnesses Examined

RANK	NAME	NATURE OF EVIDENCE
P.W.- 1	Pabitri Roy	Defacto Complainant
P.W.- 2	Supada Roy	Public witness

PW-3	Bappa Roy	Public witness
PW-4	Late Shupada Roy	Public witness
PW-5	Bimal Shil	Public witness
PW-6	Babu Barman	Public witness
P.W-7	Mojaffar Hussain	Scribe
P.W-8	Dr. Subrata Haldar	Autopsy Surgeon
P.W-9	Smt. Lipika Bhowmick Roy	Public witness
P.W-10	Abner Bhutia	Inquest Officer
P.W-11	Dr. Parasar Poddar	Medical Witness
P.W-12	Sub-Inspector Briksheswar Roy	Inquest Officer

List of Prosecution Exhibits

Serial No.	Exhibit Number	Description
1	Exhibit No.P-1 / PW-1	Statement u/s 164 Cr.PC
2	Exhibit No. P-2 series / PW-2/PW.6	written complaint with endorsement with signatures of witnesses thereon
3	Exhibit No. P-3 series / PW-2/PW.4	Medical report with signatures of witnesses
4	Exhibit P-4 /PW-2	Seizure list dated 19.01.2021.
5	Exhibit No. P-5 / PW-2	Original Birth Certificate of VG
6	Exhibit-P-6/ PW-5	Potency test report of accused
7	Exhibit-P-7 / PW-6	Formal FIR
8	Exhibit-P-8/PW-6	Rough sketch map with index

Decision with Reasons

It is the duty of the prosecution to establish the charge of offence against the accused persons by leading cogent and reliable evidence.

Pabitri Roy, the mother of deceased (PW.1) adduced that her daughter got married about 10 years back. After marriage she

started to live her matrimonial life at her matrimonial home. She was subjected to assault by her husband. He under intoxication assaulted the victim for which she suffered bleeding injuries and succumbed to death. The victim was taken to Dewanhat BPHC where she died.

In cross-examination P.W.1 stated that victim and her husband used to reside in separate mess. She was not aware whether or not the victim was suffering from fever.

Supada Roy, P.W.2 adduced that in laws of the victim asked her to bring money from paternal house. Accordingly victim used to bring money from paternal house. After paying money to the accused persons the deceased was allowed to live peacefully for some days at matrimonial home. One of the family members of the accused informed P.W.2 that victim had been admitted in hospital. On visiting the hospital P.W.2 found that the victim has been died.

Both P.W.1 and P.W.2 deposed that there was bleeding injury on the face and ear of victim. P.W.2 heard that the victim was lying on floor and her husband was sitting on bed. He gave kick to victim for which she died.

Oral evidences of P.W.3, P.W.4 and P.W.9 show that the victim died due to fever.

Again testimonies of P.W.5 and P.W.6 do not support the prosecution case.

P.W.7 being scribe proved the contents of the complaint.

Dr. Subrata Haldar (P.W.8) conducted post mortem examination over the dead body of Mukti Bhadra and proved the report. P.W.8 stated that during post mortem examination no mark of injury was found on the person of the deceased.

P.W.10 being Inquest Officer conducted inquest over the dead body of Mukti Bhadra. P.W.10 did not find external injury on the person of the victim. Similarly P.W.12 being SI of police conducted inquest over the dead body of victim and proved the

report. During the inquest, no witnesses made any statement before PW.12.

PW.11 being doctor of Dewanhat BPHC examined Mukti Bhadra and found no injury marks on her person. The evidence of PW.11 with injury report show that the victim suffered fever with mild chest infection. She was admitted in hospital due to infection in chest. The physical condition of the victim deteriorated due to bleeding from her nostril and mouth. She did not respond to verbal stimulus ultimately at 12.40 PM the patient expired.

The medico legal evidences show no sign of physical injury on the person of the victim. On the contrary evidence of P.W.11 speak that due to bad health condition, the victim succumbed to death. On the basis of evidences of PW.11 and Ext.P-4 it is found that testimonies of PW.1 and PW.2 that victim died due to assault by Ranjit Bhadra, are found to be baseless.

The corroborative witnesses deposed that Mukti Bhadra died due to suffering from fever. None of these witnesses supported the evidences of PW.1 and P.W.2 with regard to incident of torture resulting into death of the victim.

None of the witnesses has deposed with regard to incidents of cruelty allegedly occurred upon the deceased at her matrimonial home.

On discussions of the evidences on record it can be concluded without any hesitation that there there is no sufficient and cogent evidences to establish guilt of the accused persons beyond shadow of reasonable doubts.

Hence, it is,

ordered

that all five accused persons namely, Ranjan Bhadra, Hari Das Bhadra, Smt. Gita Bhadra, Iti Bhadra and Anita Bhadra are acquitted u/s 235(1) of Cr.P.C from the charge of offence u/s 498A/304B/34 of Indian Penal Code

All the accused persons are discharged from their bail bonds.

Sureties are discharged from their bonds.

Alamat property, if any, be disposed of after expiry of appeal period.

Rank of Accused	Name of Accused	Date of Arrest	Date of release on bail	Offence charged with	Whether acquitted or convicted	Sentence imposed	Period of Detention undergone during Trial for the purpose of Section 428 Cr.P.C.
A1	Ranjan Bhadra	30.04.2014	25.07.2014	U/s 498A/304B/34 of IPC	Acquitted		Approximately 85 days
A2	Haridas Bhadra	25.07.2014	25.07.2014	U/s 498A/304B/34 of IPC	Acquitted	Not Applicable	Not Applicable.
A3	Gita Bhadra	25.07.2014	25.07.2014	U/s 498A/304B/34 of IPC	Acquitted	Not Applicable	Not Applicable.
A4	Iti Bhadra	25.07.2014	25.07.2014	U/s 498A/304B/34 of IPC	Acquitted	Not Applicable	Not Applicable.
A5	Anita Bhadra	25.07.2014	25.07.2014	U/s 498A/304B/34 of IPC	Acquitted	Not Applicable	Not Applicable.

Dictated and Corrected by me.

Additional Sessions Judge,
2nd Court, Cooch Behar

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JO Code No.WB00825