IN THE COURT OF SPECIAL JUDGE, SONITPUR AT TEZPUR

SPECIAL (POCSO) CASE NO. :- **15 OF 2015**

(Section 4 of the POCSO Act, arising out

of G.R. Case No. 1185 of 2015)

Present :- Sri Ashok Kumar Borah, AJS

Special Judge, Sonitpur

Tezpur

Prosecutor :- State of Assam

-vs-

Accused :- Rajibur Rahman @ Rajibul Islam

Son of Md. Giasuddin

Resident of No.2 Bosa Simolu Police Station – Dhekiajuli Dist:- Sonitpur, Assam

Date of framing Charge :- 22/07/2015

Date of Recording Evidence :- 14/08/2015, 17/09/2015,

10/03/2016, 08/09/16

Date of examination of accused u/s

313 Cr.P.C

:- 30/09/2016.

Date of Argument :- 01/12/2016.

Date of Judgment :- 06/12/2016

Counsel for the Prosecution :- Mr. Hari Prasad Sedai

Public prosecutor

Sonitpur.

Counsel for Accused :- Mr. S. Khan, Advocate.

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JUDGMENT

- **1.** In this case the accused Md. Rajibur Rahman @ Rajibul Islam is put for trial u/s 4 of the POCSO Act.
- 2. The factual matrix of the case in brief is that on or about 2 P.M. of 22/5/2015, the wife of Rajibur Islam came to informant house requested her to go to their home. Accordingly informant went there. While accused & wife went out, accused caught hold informant and committed rape on her. The next incident took place at about 8 p.m, while informant's parent were having their dinner. The informant was in their court-yard then accused went there, gagged her mouth took her to nearby Jute cultivation area, fell her down and committed rape on her forcefully. Hence this prosecution case.
- 3. The ejahar was filed by the complainant Rajibur Islam before the I/C of Borsola police O/P, the I/C Borsola Police O/P by giving G.D Entry No. 416 dated 23/5/15 at 5.30 p.m. forwarded the same to O/C Dhekiajuli P.S for registering a case. On received the ejahar the O/C Dhekiajuli P.S. registered the case vide Dhekiajuli Case No. 291/15 under Section 376 of the IPC read with under Section 4 of POCSO Act. On completion of investigation, the O/C of Dhekiajuli PS sent up the case for trial.
- **4.** On being appeared the accused before this Court, my learned predecessor-in-Court, after hearing both parties, framed charge under section 4 of POCSO Act, 2012 against the accused and particulars of the charge was read over, explained to the accused to which he pleads not guilty and claims to be tried.
- **5.** To substantiate the case prosecution examined as many as 8 (eight) numbers of witnesses which includes the informant, victim, other witnesses and the Investigating Officer.

- **6.** After completion of prosecution evidence accused is examined u/s 313 Cr.P.C. All the allegations made against the accused and evidence appears against the accused are put before him for explanation where he denied the evidence and allegation and declined to give defence evidence.
- **7.** I have heard the argument put forward by the learned counsels of both sides.

8. The point for decision in this case is that:

Whether on or about 2 p.m. of 22/05/2015 at night at 8 p.m., at Nisalamari Nonke, Borsola in the house of the accused and in the jute field under Dhekiajuli,PS accused committed penetrative sexual assault on Miss X (victim) and thereby committed an offence punishable under Section 4 of POCSO Act?

Reasons, Decisions and reason for decision.

- **9.** To arrive at the judicial decision, let me appreciate the evidence on record.
- **10.** PW -1 Dr. Sangetta Sarma stated before the Court she was posted as Medical & Health Officer- 1 in the Kanaklata Civil Hospital, Tezpur and on that day at about 1.30 p.m. at Emergency OPD, in the labour room complex of KCH, she examined Miss Rabanu Khatoon, 15 years, female, D/O Md. Jalaluddin of village Nisolamari Non K, PS Dhekiajuli, in reference to Dhekiajuli PS Case No. 292/15 u/s 376 of IPC r/w Section 4 of the POCSO Act, OPD No. 6412/15 dated 25/05/15, on being escorted and identified by Woman Home Guard Bina Borah of Dhekiajuli PS. She was examined in presence of staff Sister Jyoti Prabha. On examination she found the following:

Consent for examination was taken from the victim girl as well as grandmother.

Menstrual history- LMP- the victim does not remember Sexual Exposure historysexual Exposure present o Ajibur Islam of Borsola on 22-05-15.

Identification mark- a small mole on the left side above the upper lip.

Height- 146 cm., Weight- 35 Kg, Teeth 7/7, 7/7.

At the time of examination, she was neat dressed, clean and tidy. Her gait was normal, secondary sexual characters developed. Vulva and vagina healthy. Hymen was absent.

No marks of injury or violence on her private as well as other body parts. Investigation advised and reports-

- 1. Vaginal smear for spermatozoa no sperm seen. Done on 25.05.15 at KCH Lab vide Lab No. 55/15.
- 2. Urine for pregnancy test negative. Done on 25/05/15 at Assam X-ray Clinic & laboratory, Patient ID No. 24608 by Dr. D. Mahanta, Pathologist.
- 3. USG Pelvis normal pelvic organs. Non gravid uterus.
- 4. X-ray for age determination Age of the person under investigation is below 18 years.

OPINION:

- 1. No sign or symptom of recent sexual intercourse at the time of examination.
- 2. No mark of violence or injury on her private as well as other parts.
- 3. Age of the victim is below 18 years as per radiological evidence.
- 4. No other injury.
- 5. She is not pregnant.
- 6. As per history given by her she was sexually exposed to some Ajibur Islam of Borsola.
 - Ext. 1 is the medical report and Ext. 1 (1) is his signature.

In cross- examination she admitted that she has assessed the age of the victim as per report of the radiologist. She has not assessed the age of herself.

11. PW-2 Alimuddin stated that he knows the accused Md. Rajibur Rahman @ Rajibul Islam. He also knows the victim Rabhbanu Khatoon. The incident took place about 2 ½ months ago. On the next day of the incident, Jalaludin informed him that the accused committed rape on his daughter, Rabhbanu Khatoon in the Jute cultivation filed at about 8 p.m. Jalaludin was accompanied by her daughter Rabhbanu Khatoon, his wife and others. He asked them to go to Police Station.

In cross examination he stated that he does not remember the date on which he was informed by Jalaludin about the incident. He has not seen the incident himself. He does not have any personal knowledge about the incident. He does not know whether such incident happened or not.

12. PW- 3 Lalchand Das has stated that he does not know the accused but he knows her father. He also knows the victim Rupbhanu @ Rabhbanu Khatoon. He is the daughter of Jalaluddin. The incident took place about 2 ½ months ago. On the next day of the incident, Jalaluddin informed him that son of Giasuddin committed raped her daughter Rabhbanu Khatoon in the Jute cultivation filed at about 8 p.m. Jalaluddin was accompanied by her daughter Rabhbanu Khatoon, her wife and others. He asked them to go to Police Station to lodge an FIR.

In cross-examination he stated that he does not remember the date on which the incident occurred. He has not seen the incident herself. He does not have any personal knowledge about the incident. He does not know whether such incident happened or not.

13. PW- 4 Jalaluddin has stated that he knows the accused. He does not remember his name. Victim Rupbhanu @ Rabhbanu Khatoon is his daughter. The incident took place about 3 months ago. On the day of occurrence, he was at home taking meal. At about 8 p.m. his daughter went outside of his house. He came back at about 9 p.m. and informed him and his wife that the accused took her to the Jute field and committed rape on her by removing her pant.

In cross-examination, she admitted that at that time in his house he along with his wife was there. There are two houses near his house. One house is of Farad Ali and other one house is Mahammad. There are 9 members in the house of Mahammad and 2 members in the house of Farad Ali. They used to move around through our courtyard. On the day of occurrence, they were also in their respective houses. The house of the accused is in western side of his house. The jute field is 50 yards away from his house and the house of the accused is adjacent to the field. The parents of the accused were also present in his house at the time of occurrence. They used to visit the house of the accused. He also used to visit their house. He along with his wife used to go for work daily but his daughter remains in his house. His wife does household

works and his daughter also helps her mother. Their family members used to take dinner together. On the day of incident, at about 8 p.m. he took dinner along with his wife. When their daughter did not return back, they went to search her. When they came back they found their daughter in their house. She was out about 1 to 2 hours. He also scolded his daughter. In connection with this incident, there was a meeting in their village and in that meeting the matter was settled. His daughter was also present in the meeting. Now, after the settlement of the matter we were living peacefully.

14. PW- 5 (Miss- X), the victim of this case stated that she knows accused Rajibul @ Rajibur. The incident occurred three months ago. The incident occurred at night at about 8 p.m. when she went out to wash her hands after taking dinner. Her mother and father were taking dinner. The accused then came and gagged her mouth with Gamosa and picked her up and took her to Jute field. The accused made her lie down on field. She was wearing frock and pant. The accused removed her clothes and inserted her private part into her private. This is their language is known as ('Maan mara'). When accused was leaving she catch accused by snatching her "gangee" but accused left and piece of gangee cloth remained in her hand. She came back to her house by shouting and informed her parents about her incident. Next day she went to Borsola Police Out Post and lodged an FIR. The FIR was written by a person at Borsola Cente, she does not know his name. The FIR was written as per her instruction. She was taken to Hospital at Tezpur and thereafter she was produced in the court for recording her statement. Her statement was recorded by a Magistrate she has stated all mere facts before Magistrate. At that time her age was 15 years.

In cross-examination, she admitted that examination she does not know her date of birth. She has stated her age as 15 years on her guess. Accused was in their Farm house for about 15 day prior to the incident. The Farm house of the accused is about three houses away from their house. The jute field of the accused is near the farm house of the accused. Accused use to do work in the jute field. Her father use to go out to work her mother and herself remain in her house. The family member of accused use to visit her house, they also use to go to their house. The accused went to work at Kerala. She has not

seen the accused before the incident. They do not have electricity in our house. They use to take their dinner together but on the day of incident she took food earlier than her parents. She served her food to her mother & father and she went out. There are about 8-9 persons lining in two houses near her house. She was taken from near the tube well of her house to the jute field. The accused took her near about 1 Km away from her house. She does not stop in between. As police did not enquired from her house she does not stated before Police that she was picked up by the accused. The accused forcibly opened her clothes. The jute cultivation was full grown. The jute Plants were planted very near to each other. She protested for about 6-7 minutes. She suffered injury on her breast and nowhere else. She has not shown her injury to Police. She does not tell her doctor about her injury. On the day of incident it was dark and accused came from back side. The accused was going to jute field silently. The "Gangee" of accused was seized by Police. Police did not seize her clothes. He has not stated before Police that accused removed her frock & pant. She has not stated before Police as to who wrote her FIR.

15. PW-6 Jamir Ali stated that he knows the accused and victim. The incident took place 9 month ago the father of Rupbhanu came to their house and reported that Rajibul islam committed rape upon Rupbhanu.

In cross-examination he admitted that his house is situated a distance of 1 Km from the house of Rupbhanu. The father of Rupbhanu came to their home at about 10 O' clock in the morning. Then they went to Police Station.

16. PW-7 Sulema Khatoon, the mother of victim stated that at the relevant time her daughter after having dinner went to tube well. After about 1 hour she returned to home. After coming to home she reported to her that accused after gagging her mouth committed rape on her.

In cross-examination she admitted that Rajibul was known to them just two months ago. She is not aware whether her daughter went to the house of the accused or not. For doing service she always went out. Similarly her husband also went to do labour. She further admitted as the Rupbhanu did not return home so she went out to charge her. She admitted that for that incident

a village meeting was held and at last she stated that due to misunderstanding the ejahar was filed.

17. PW-8 Sri Ajit Kr. Bhuyan, the I.O. has stated that on 23/05/15 he was posted at Borchala Police Out Post under Dhekiajuli Police Station as In-Charge of the OP. On that day, at about 5.30 p.m. he received one FIR from Miss Rob Banu Khatoon, D/O Md. Jalaluddin of village Nisalamari Nonke alleging that on the previous at about 2 p.m. wife of the Rajibul Islam came to her house and called to his house. After his entrance she came out and her husband Rajibul caught hold of her and committed rape on her. Thereafter, at night at about 8 p.m. while her parents taken back to their house and when he was at their court-yard the accused came and by gagging his mouth by a Gamosa took her to a Jute field and committed rape on her. Thereafter, he returned to his house by shouting and the incident reported to the villages.

After receiving the ejahar, he made GD Entry vide Borsola OP GD Entry No. 416 dated 23/05/15 at about 5.30 pm. and forwarded the same to O/C of Dhekiajuli PS for registering a case. Inspector Tileswar Saikia, O/C Dhekiajuli PS registered a case being Dhekiajuli PS Case No. 292/15 u/s 376 of the IPC r/w section 4 of the POCSO Act. Ext 2 is the said FIR and Ext. 2 (1) is his signature with note and Ext. 2 (2) is the signature of Inspector Tileswar Saikia, O/C Dhekiajuli PS with his note, which is known to him on communication. He recorded the statement of the victim at the police Out Post on 23/05/15. Next day i.e. 24/05/15 he visited the place of occurrence, i.e. the house of the victim at Nichalamari and prepared a sketch map of the place of occurrence. Ext. 3 is the sketch map and Ext. 3 (1) is his signature. He also recorded the statement of the witnesses available at the place of occurrence. Thereafter, he enquired the accused and visited the house of the accused and he was not found. On 25/05/15 he sent the victim Rob Banu Khatoon for medical examination and sent to the court for recording his statement u/s 164 Cr.P.C.

On 25/05/15 he arrested the accused Rajibur Islam @ Rajibul Islam and forwarded him to the court for judicial custody. After collecting the medical report and having found sufficient materials against the accused he filed the charge sheet against the accused u/s 376 IPC r/w section 4 of the POCSO Act.

Ext. 4 is the charge sheet and Ext. 4 (1) is his signature. He cannot say about the enclosures of the medical report at present.

In cross-examination he admitted that the ejahar was presented to him in the Out Post at about 5.30 p.m. At the time of filing the ejahar, he was in his duty at the Out Post. The victim came to the Out Post alone. He does not call any of the family members of the victim/informant. O/C Dhekiajuli PS sent the ejahar to learned Magistrate on 25/05/15. He has not made the wife of the accused as a witness in this case. The scribe of the ejahar was Raman Das. He has also not made him as a witness in this case. From the sketch map it came to know that there were paddy fields surrounding the place of occurrence. He has not seen any jute plantation at the place of occurrence. In the ejahar the informant stated that he was raped by the accused for two times on the day of occurrence. He has not collected any age certificate from the parents of the victim or from the village headman. He has not seized any clothes from the accused. He has not recorded the statement of Radiologist.

Case record does not bear the documents like Radiological report, USG report, Urine for pregnancy test report, advice slip etc.He sent the victim girl to the court and he is escorted by Home Guard Bina Borah. He brought the accused to the Police Out Post at about 7 a.m. after having found him in his house and on the same day he was forwarded to the court for judicial custody. He has not conducted any TIP. The victim/complainant did not state before him that the accused inserted his private parts into her private parts.He has not been informed the Special Court about the incident.

- **18.** These much is the evidence of the prosecution case. Defence plea is total denial while his statement was recorded u/s 313 Cr.P.C.
- **19.** Learned counsel for accused submitted that prosecution has failed to prove the case beyond any reasonable doubt because. Firstly there is no any corroborative statement of witnesses. Secondly, the mother of the victim herself admitted that due to misunderstanding the case was filed. Thirdly the witness stated different time of the alleged occurrence in their deposition. Fourthly Dr. stated that (a) No sign or symptom of recent sexual intercourse at

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the time of examination. (b) No mark of violence or injury on her private parts as well as other parts of the body. (c) Age of the victim is below 18 years as per radiological evidence (d) No other injury. (e) The victim is not pregnant. Fifthly none of the witness describe the incident as stated by the complainant in FIR. Sixthly, if the evidence of victim is belief that accused took her to full grown Jute field and committed rape her by felling her down on the jute field then she might have sustained injury at least to some extent. According to doctor but not a single injury sustained by her which is not at all possible. Lastly, PW 4 the father of the victim stated that they have compromised the matter at village level.

- **20.** On the other hand, learned counsel Public Prosecutor submitted that prosecution as ably proved the charge beyond any reasonable doubt as such required to be convicted.
- **21.** Keeping in mind the argument advanced by learned counsel for both parties, I am going to dispose of the case as follows.
- 22. It is a settled legal position that once the statement of prosecutrix inspires confidence and is accepted by the court as such, the conviction can be based only on the solitary evidence of the prosecution and no corroboration would be required unless there are compelling reasons which necessitate the court for corroboration of her statement. Corroboration of testimony of the prosecutrix as a condition for Judicial reliance is not a requirement of law but a guidance of prudence under the given facts and circumstances. Minor contradictions or insignificant discrepancies should not be a ground for throwing out an otherwise reliable prosecution case. A prosecutrix complaining of having been a victim of the offence of rape is not an accomplice after the crime. Her testimony has to be appreciated on the principle of probabilities just as the testimony of any other witness, a high degree of probability having been shown to exist in view of the subject matter being a criminal charge. However, if the court finds it difficult to accept the version of the prosecutrix on its face value, it may search for evidence, direct or substantial, which may lend assurance to her testimony.

Leaving this aspect of the matter aside for a while, I am taking out another aspect of the matter. Here in this case the ejahar was lodged by the complainant on the next day of the incident by victim herself. Immediately, after receipt of the ejahar, the I/C of Borsola Police Out Post after giving GD Entry took the charge of investigation by sending the original FIR to O/C Dhekiajuli Police Station. On receipt of the ejahar, the O/C Dhekiajuli Police Station registered the case vide Dhekiajuli PS case No. 291/15 u/s 376 of the IPC r/w section 4 of the POCSO Act. On that very day she was medically examined but after thorough examination the doctor opined that 1. No sign or symptom of recent sexual intercourse at the time of examination. 2. No mark of violence or injury on her private as well as other body parts.3. Age of the victim is below 18 years as per radiological evidence. 4. No other injury.5. She is not pregnant and 6. As per history given by her she was sexually exposed to some Ajibur Islam of Borsola. Therefore, the medical report submitted by the Doctor on the very day of the incident stated nothing about the sexual intercourse.

- affirmatively each ingredients of offence it seeks to establish and such onus never shifts. It is the duty of the defence to explain as to how and why in a rape case the victim and her mother falsely implicated the accused. The main evidence in all such cases is that of the victim herself, in practice a conviction for rape almost entirely depends on the credibility of the woman, so far as the essential ingredients are concerned, the other evidence being merely corroborative. It is not necessary that there should be independent corroboration of every material circumstances in the sense that the independent evidence in the case, apart from the testimony of the victim, should in itself be sufficient to sustain conviction. All that is required is that there must be some additional evidence rendering it probable that the story of the victim is true and that it is reasonably safe to act upon it.
- **24.** Learned counsel for the accused vehemently argued that had the victim been really raped by the accused in the jute cultivation area where the jute were fully grown. The victim might have sustained injury atleast some injury on

her body. But here in the present case as stated above, there is no injury sustained by the victim as per medical report.

25. It has been held in **Babu 1984 Cr.L.J. (NOC)74 Rajasthan** that - " if the victim is unwilling to yield to sexual intercourse she is expected to receive injuries on her persons. The absence of injuries on the body of the prosecutrix, generally give rise to an inference that she was consenting party to koitas where the prosecutrix received multiple injuries on the various parts of her body, it indicates that she offered resistance when she was stopped to sexual intercourse."

But in the instant case as stated above, no injury mark seen by the doctor not only on the private parts or any of the organ of the victim. As stated above, the victim is the prime witness in the present case. According to victim (PW 5) there are two incidents of allegation of rape. The first incident took place at about 8 p.m. when she went out to wash her hands after taking dinner. Her mother and father were taking dinner. The accused then came and gagged her mouth with Gamosa and picked her up and took her to Jute field. The accused made her lie down on field. She was wearing frock and pant. The accused removed her clothes and inserted her private part into her private parts. When accused was leaving she catch accused by snatching her "ganjee" but accused left and piece of ganjee cloth remained in her hand. She came back to her house by shouting and informed her parents about her incident. In the instant case she went to Borsola Police Out Post and lodged an FIR. Thereafter, her statement was recorded u/s 161 Cr.P.C. But according to 164 Cr.P.C. the accused committed rape in two times. At the first time she was called by the wife of the accused to the house of the accused when she arrived at the house of the accused, wife of the accused left the house and accused fell her down on the bed and committed rape by opening her Payjama. He also opened his lungi. Then she returned to her house. The another incident took place at night when she went out to wash her hands after taking dinner. Her mother and father were taking dinner. The accused then came and gagged her mouth with Gamosa and picked her up and took her to Jute field and committed rape on her. Therefore, the statement of the victim is not

corroborated with her own statement recorded u/s 164 Cr.P.C. Besides, in the FIR lodged by the complainant she stated that at about 2 p.m. accused's wife came to their home, enticing her to their home, while she reached at the house of the accused, accused's wife suddenly came out then accused committed rape on her. Second incident took place at night at about 8 p.m. when her mother and father having dinner. She was in the court-yard. Accused suddenly appeared, gagged her mouth with Gamosa and picked her up and took her to Jute field and committed rape on her. In the meantime she hold her "gangee" but accused left and piece of gangee cloth remained in her hand. She came back to her house. But in her evidence before the Court she made allegation of rape against the accused which occurred at night at about 8 p.m. She has not stated about the incident of 2 p.m. as stated in the FIR which is contradictory to the FIR.

26. Another point raised by learned counsel for the accused is that according to the victim on the day of her deposition at Court, her age was 15 years. On the other hand, in her statement u/s 164 Cr.P.C. she also stated that her age was 15 years on 25-05-2015. But there is no any birth certificate or school registration certificate collected by the I.O. at the time of investigation. PW4, the father of the victim stated nothing about the age of the victim at the relevant time of occurrence, but according to the doctor who made opinion of the age of the victim after proper medical examination stated that she was below 18 years of age. Therefore the exact age of the victim cannot be ascertained.

In Jaya Mala V. Home Secretary, Government of Jammu and Kashir, reported in AIR 1982 SC 1297 had observed that "the age of the victim girl may be assessed two years plus or minus on either side upon the age as opined by the doctor."

Here in the present case, the doctor opined that the victim is below 18 years. Therefore, in view of the aforesaid mandates at the time of alleged occurrence, the victim may be above 18 years of age so she cannot be stated to be a minor.

Learned counsel for the accused submitted that the complainant has filed this case against the accused initially as there is an enmity against the accused's family. Admittedly, there is no any evidence that complainant or accused has any enmity or quarrel, however it has been held in **In Raju & Others Vs. State of Madhya Pradesh (AIR 2009 SC 858),** the Hon'ble Supreme Court has held that -

"ordinarily the evidence of a prosecutrix should not be suspected and should be believed, more so as her statement has to be evaluated on par with that of an injured witness and if the evidence is reliable, no corroboration is necessary". The court however, further observed — "it cannot be lost sight of that rape causes the greatest distress and humiliation to the victim but at the same time a false allegation of rape can cause equal distress, humiliation and damage to the accused as well. The accused must also be protected against the possibility of false implication. There is no presumption of any basis for assuming that the statement of such a witness is always correct or without any embellishment or exaggeration.

- **27.** Another point is to be discussed in the present case is that PW 7 Sulema Khatoon, the mother of the victim, herself admitted in cross-examination that after the incident there was a village meeting where they compromised the matter. Besides, she also admitted that the ejahar was filed due to misunderstanding.
- **28.** In view of the aforesaid discussion on the basis of the evidence on record, the allegation of penetrative sexual assault or rape on the victim is doubtful and the evidence of the prosecutrix does not inspire confidence for recording a conviction u/s 4 of the POCSO Act.
- **29.** The onus of proving the facts essential to the establishment of the charge against the accused lies upon the prosecutrix, and the evidence must be such as to exclude every reasonable doubt about the guilt of the accused. An accused can not be convicted of an offence on the basis of conjecture and

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suspicion. After taking into consideration, the entire material before it regarding

complicity of the accused, the benefit of such doubt is given to the accused.

30. Under such circumstances, the accused Md. Rajibur Rahman @ Rajibul

Islam is acquitted on benefit of doubt and set him at liberty forthwith.

31. The liabilities of the bailor is hereby discharged.

32. Let the G.R Case No. 1185/15 be sent to Ld. committal Court along

with a copy of Judgment.

33. Given under my Hand and Seal of this Court on this the 6th day of

December, 2016.

(A.K. Borah)
SPECIAL JUDGE,

SONITPUR: TEZPUR

Dictated and corrected by me

(A.K. Borah)
SPECIAL JUDGE,
SONITPUR :: TEZPUR

Dictation taken and transcribed by me:

Smt. R. Hazarika, Steno

APPENDIX

Prosecution Witness

1. Prosecution Witness No.1 :- Dr. Sangeeta sarmah, M.O.

Prosecution Witness No.2
 Prosecution Witness No.3
 Prosecution Witness No.4
 Prosecution Witness No.4
 Prosecution Witness No.5

5. Prosecution Witness No.5 :- Victim.6. Prosecution Witness No.6 :- Jamir Ali.

7. Prosecution Witness No.7 :- Sulema Khatoon.

8. Prosecution Witness No.8 :- Sri Ajit Kumar Bhuyan, I.O.

EXHIBITS.

Exhibit 1 :- Medical report

Exhibit 2 :- FIR

Exhibit 3 :- Sketch map

Exhibit 4 :- Chargesheet.

(Ashok Kumar Borah)
SPECIAL JUDGE
SONITPUR: TEZPUR