IN THE COURT OF THE SESSIONS JUDGE, CACHAR AT SILCHAR.

Present :- Sri K. Choudhury, Sessions Judge, Cachar, Silchar.

Spl. (POCSO) Case No: 12/2015.

Under Section 366 I.P.C. and U/S. 4 of POCSO Act.

Charge framed on :- 10.09.2015.

Dates of recording evidence :- 09.10.15, 15.10.15, 20.11.15, 29.01.16 and 24.02.16

Statement of the accused persons recorded on :- 24.02.16.

Argument heard on :- 22.03.2016.

Judgment delivered on :- 31.03.2016.

ADVOCATE APPEARED

For the prosecution :- Mr. D. Dutta, learned P.P.

For the defence :- Mr. P. Deb.

JUDGMENT

- 1. The prosecution case in brief is that on 18.07.2015 at about 4 p.m. the minor daughter of the complainant herein below mentioned as victim, went out following tea garden road for purchasing of a *Urna* (a piece of cloth used by female to cover upper portion of body). On the way the accused persons forcibly took her towards Kashipur by their Cruiser vehicle. After that at about 10 p.m. they left her at Kashipur tea garden. She after returning home informed that the accused persons kidnapped her and forcibly committed rape on her and also snatched away her gold necklace and ear-rings. Accordingly FIR was lodged. The same was registered as Udarbond Police Station (P/S) case No. 177/15 U/S 342 IPC read with Section 6 of the Protection of Children From Sexual Offences (POCSO) Act 2012.
- 2. During investigation the accused were arrested. The victim was medically examined and her statements were recorded u/s 164 by judicial magistrate. Doctor opined her age as above 14 and below 16 years. On completion of the investigation the Investigating Officer (I.O) submitted Charge Sheet against both the accused u/s 366/342 IPC read section 6 of the POCSO Act 2012.
- 3. On production of the accused persons copies of all necessary police papers as referred u/s 173 (2) Cr.PC were furnished to them. Thereafter hearing both side and considering materials on the record this court framed formal charges u/ 366 /34 IPC and u/s 4 of the POCSO Act. The charges were read over and explained to which the accused pleaded not guilty and claimed to be tried. Hence trial began.
- 4. In support of the case the prosecution examined as many as eight witnesses as PW. The defence pleas are of total denials. During examination of accused u/s 313 Cr.PC it is stated that there was a marriage proposal for marriage of the victim with accused Rabul Hussain

and same being refused by the accused and his inmates the accused was falsely implicated, and the other accused being his friend was also similarly implicated. No evidence is however adduced in their defence.

- 5. Now, under the facts and circumstances of this case, whether the accused persons committed any offence of kidnapping and penetrative sexual assault as charged?
- 6. To decide the above I have heard argument of both side at very length and perused the entire evidence on the record. My findings and decision with reasons thereof are given below:-
- 7. PW. 3 – Najira Begum Laskar, the victim of this case has deposed that accused Rabul is her adjacent neighbour. On 18-07-15 she taking one hundred rupees from her mother went out for purchasing Urna following tea garden road. While she was so walking suddenly a Cruiser vehicle coming from back side stopped. Accused persons getting down from the vehicle pulled her and forcibly get her into the vehicle and took her inside the Kashipur tea garden. They forcibly administered tablets by mixing in Cold drinks. She felt drowsiness. Accused Rabul then committed rape on her. On her regaining sense at about 10 p.m. she found both the accused persons near to her. The accused took her and left her near Nachghar. Her cousin Jamrul and Bebul found her with torn clothes. They informed her father, who then along with others came and She reported the entire incident to her parents and took her back. others. Her father wrote the *ejahar* and on that very night took her to Udarbond P.S. On the following day police took her to S.M.C.H., where she was medically examined. The Magistrate recorded her statement. Ext-2 is her statement. She also gave statement before the Doctor. Ext-3 is the medical report. Ext-3(1) is her signature.
- 8. In her cross-examination, she gave topography of the place where from she was taken. According to her it is a tri junction connected by National high way and is a busy area. Near the Nachghar, there are two sub-ways. Market sets near the Nachghar where there were 4-5 permanent shops. She further stated that there was a gate of the garden situated at a distance of 100 meter from the Nachghar. The garden gate remains open up to 10.p.m. She did not notice any home stead around

the Nachghar. Her panty was stained with blood. She handed over the panty to the Police. Her lips were swelling with some crack and there was no other external injury. She denied all the defence suggestions that the doctor did not find any injury, she did not hand over under garment to the police and she adduced false evidence.

- PW. 1 Altar Hussain Laskar, father of the victim who deposed that accused persons are driver of cruiser vehicle by occupation. Accused Rabul Hussain is his closed door neighbour. On 18-07-15 on the occasion of the *Idd* of *Ramjan* month, the victim went out for purchasing *urna* from a shop and on the way to tea garden road accused persons coming from back side forcibly caught her and pulled her into their cruiser vehicle. They took her inside the Kashipur tea garden and forcibly administered drugs and after that accused Rabul Hussain committed rape on her. He further deposed that for nonreturning of the victim he and others started to search out her and during the search his neighbour namely, Badrul and Jamrul found the victim wearing torn apparels near Nachghar of the tea garden. Then they over telephone informed him about the victim. After that he along with others went there and brought the victim back. On query the victim narrated the aforesaid incident as deposed. On that night he lodged the ejahar. The victim was with him. Both of them remained in the P.S. on that night. On the following morning the victim was sent for medical examination and was also produced before Magistrate. Ext-1 is his FIR. He also adduced evidence relating to the age of the victim. According to him she was 14 years.
- 10. PW. 2 Josim Uddin deposed that on 18-07-15 at about 10.00 p.m. hearing hue and cry he went to the house of the victim, who was found crying and wearing torn clothes. On query she reported that on that day while she was going to purchase an *Urna*, on the way of tea garden road accused persons forcibly took her in a vehicle to lonely plantation area named as Bogdhai where the accused persons administered her some drugs mixing with cold drinks and committed rape on her. She further reported that accused persons after committing rape took her near Nachghar and left her. She was recovered by Jamrul and Babul during search. He denied in his cross-examination that he being tutored by the informant deposed falsely.
- 11. PW. 4 Jamrul Hussain deposed that on the date of the Idd festival after Ramjan at about 7.00~p.m. the father of the victim called him and informed that the victim could not be traced out even after search. After that he along with three friends with his cruiser vehicle

proceeded towards Kashipur tea garden in search of the victim, and while they reached near the turning point of the tea garden happened to see the victim coming alone on foot. He then informed the parents of the victim over phone. Then father of the victim along with 2-3 persons came there and brought back the victim. The victim reported that on that evening while she came out for purchasing *Urna* two boys took her by a vehicle. He denied in his cross-examination that he being tutored adduced false evidence.

- P.W. 5 Badrul Ali Laskar corroborating the evidence of 12. P.W.4 deposed that he along with P.W.4 and others while went out for searching of the victim with a Cruiser vehicle found the victim near the Nachghar coming alone on foot. Father of the victim was informed and who along with 7-8 persons came there and took the victim. He further deposed that on query the victim disclosed that accused persons forcibly took her at about 4.00 p.m. from near the pharmacy in a vehicle and tried to commit rape on her inside tea garden near Baghdai, a narrow space in between two hillocks of plantation area. He in his crossexamination gave topography of the area from where the victim was allegedly taken away. According to him the said pharmacy is of one Anowar doctor whose house is situated on the back side of the pharmacy. He further stated that in the N.H. road everyday around 200/250 cruiser vehicles used to ply and in total thousands vehicles used to ply. He further deposed that near the Kashipur tri-junction and the National High way there are two mosques which are situated about 20 meters from the pharmacy in to different directions. Normally one hour prior to the prayer of *namaj* people started to gether in the mosque. Namaj of Asar starts in between 3-50-4.00 p.m. and the villagers of the locality attend the mosque during the prayer using the said road. He denied that no such occurrence took place.
- 13. PW. 6 Sutapa Bhusan is the Magistrate deposed to have recorded the statement of the victim U/S 164 Cr.P.C. She in the cross-examination proved some omissions as brought in the cross-examination of P.W.3, the victim.
- 14. PW. 7 Dr. Orina Raha deposed that on 19-07-15 the victim was examined by her at S.M.C.H. During examination the victim girl narrated to her that Rabul Hussain Laskar, the cousin of the victim and his friend namely Mounbba picked her forcibly from the market place near a house on 18-07-15. She was then taken to nearby tea garden at about 4.00 p.m. She kept revolting but they forcibly gave her tablets

following which she became unconscious. When she woke up found no clothes on her body. She came back home alone. It is further deposed that her paternal aunt also gave same history. The main findings of the Doctor are that, there was no bodily injury, there were no suspected stains, in the hymen slight tenderness was found present, and no tear was present in the vagina. X-ray of all major joints was done. It is opined that the age of the victim was above 14 years and below 16 years. No evidence of recent sexual inter course was detected. No evidence of injury on the body or genitals was detected. Ext-3 is her report.

In the cross-examination it is stated that the tenderness as noticed in the hymen of the victim might also be caused by rubbing, etching and also by penetration by any type of fingering including self-fingering. She denied the suggestion that no history as deposed above was narrated either by the victim or by the victim's aunt.

- 15. PW. 8 – Binoy Nath (I.O). According to his evidence, he was entrusted to investigate the case. During the investigation he recorded the statements of the victim and other witnesses, visited the P.O. drew the sketch map of the P.O., sent the victim for medical examination, and got her statement recorded U/S 164 of Cr.P.C. He further deposed that at about 1-15 a.m. of 19-07-15 at the time of lodging FIR the victim was brought to the P.S. by her father. He collected one school certificate of the victim. Ext-6 which is the certificate exhibited under objection. On completion of investigation he submitted charge sheet. He disclosed that the P.O. is the Silchar Jiribam road where from the victim was allegedly taken away which is near a tri-junction from where one road proceeds towards Kashipur tea estate. He confirmed some omissions to the effect that P.W.1 did not state about administering any drugs/tablets to the victim, about search of the victim, about receiving information about the victim from Baharul and Jamrul, and that he went to Nachghar to take the victim back.
- 16. From the discussion of evidence, it transpires that evidence are by and large corroborative with regard to the alleged taking away of the victim by the accused from near the tri-junction of National Highway and Kashipur Tea garden road. As reported witness all the non-official witnesses supported the testimonies of the victim. Recovery of the victim

by P.W. 4 & 5 from near the Nachghar of the Kashipur tea garden is also corroborative with each other and also with the other material witnesses. History as recorded by the M.O., the P.W.7, also supports the prosecution allegation. Except some omissions no contradiction could be proved in the evidence of I.O. There is no cross-examination on the point of age of the victim. Evidence with regard to the age of the victim is therefore remained unrebutted. Evidence shows that the victim was below sixteen years of age at the material time, and she was a student of class-ix and there is no dispute about it.

17. During argument, learned P.P. has strongly contended that even Court can arrived at a decision only relying upon the testimony of the victim and here in the instance case both direct evidence of the victim and the circumstantial evidence with regard to the recovery strongly proves the involvement of the accused with the alleged offence and there is no ground to disbelieve the testimony of the victim and other material witnesses. On the contrary, the learned defence counsel contended that the prosecution case is based on totally false and concocted story. It is also contended that the alleged taking of the girl in the afternoon from near a tri junction is very improbable, in as much as in the cross-examination it has come out that there are two mosques at some distance at different direction from the P.O., and there are some shops and houses of others near the alleged P.O. Further contention is that, in the evidence it has come out that the National High way connected by Kashipur road is a busy road and therefore evidence of taking away cannot be relied upon. Similarly it is not reliable that a girl of a tailor i.e. the victim would go out for purchasing any *Urna*. AS regards medical evidence contention of the learned defence counsel is that, except some tenderness there is nothing found on the person of the victim to support the allegation of rape. In this regard it is further submitted that the tenderness as found by the M.O. as disclosed in the evidence may be caused by any other means including self-fingering and thus this only cannot be used as proof of rape in the absence of any other findings suggesting the commission of rape. Learned P.P. on this point has argued that generally no girl of adolescence, not to speak of their parents, would adduce false evidence jeopardizing her future.

- 18. In support of the rival contentions both sides submitted some decisions. The defence side submitted the following decisions highlighting the relevant observation
- 1. 2012 CRI L.J. (NOC) 35 (H.P.) Surendra Singh, J. Kishan Chand V. State of H.P. Cr. Appeal No. 388 of 2010, D/-2-6-2011(A) Penal code (45 of 1860)S. 376 —Rape-Burden of proof-Onus is always upon prosecutrix to prove affirmatively each ingredients of offence it seeks to establish and such onus never shifts.

Penal Code (45 of 1860)S, 376-Rape- proof- Allegations that accused caught hold of prosecutrix and took her to his house, bolted door of room from inside and committed rape on her - Prosecutrix on date of alleged incident was 16 years of age i.e age of discretion - Although prosecutrix met many persons on way while she was being taken to place of incident as alleged, but did not raise any hue and cry nor made any complaint to any of them on way - Circumstances, showing that prosecutrix and accused had incest relationship between them - Allegation of rape as pronounced by prosecutrix has also not made out from testimony of doctor - Testimony of prosecutrix does not inspire confidence.

(2) 1972 CRI.L.J. 1286 (V.78 C 331) (SUPREME COURT)

Evidence Act (1872). Section 3-Criminal cases-Credibility of witnessesDegree of proof- (X Ref: s.114)

The degree which proof must reach before a Court trying a criminal case will convict is no doubt that which a prudent man will employ in reaching a conclusion beyond reasonable doubt whereas an accused need not prove his case to the same extent in order to succeed. But, the standards employed in judging each version are those of a reasonable and prudent man. Such a man can only adopt what is natural to expect and what accords with common sense and ordinary experience

but not what is extraordinary and unexpected as a reliable test of credibility of witnesses. The assumption that truth is stranger than fiction cannot be invoked in appraising the evidence of such person because it would be hazardous to do so and would introduce an illegal criterion for appraising the evidence.

(3) (2012)5 Gauhati Law Reports 605
Agartala Bench.
.R. Sarma.J.

Shankar Biswas—Appellant -Vs- State of Tripura-Respondent

It is settled law that in the event of existence of two views i.e. one going in favour of the prosecution and other going in favour of the accused, the benefit should go in favour of the accused person.

- 19. Prosecution side relied on the following decisions. Highlighted observations are given below :
- (i) 2016 CRI.L.J. 324 (Gujrat High Court)

It is not sine qua non to prove charge of rape - Specific statement of prosecutrix that accused dragged her to bushes and forcibly committed rape - She initially did offer resistance with her school bag-Subsequently she may have been overpowered to offer any resistance and thus may not have received any injury - Defence of consent of victim not tenable merely on ground of absence of injury especially when doctor while giving history not suggested about consent.

(ii) 2016 CRI.L.J. 608 (Himachal Pradesh High Court) Jai Singh -vs-State of H.P.

Medical examiner having portrayed in deposition qua

occurrence of penetration of penis into private parts of victim - Mere factum of hymen of prosecutrix having remained un-ruptured would not make testimony of prosecutrix false.

(iii) 2012 CRI. L.J. 693 (Supreme Court) Criminal Appeal No. 1516 with 1517 of 2010, D/- 10-10-2011. Mohd Imran Khan V. State (Govt of NCT of Delhi).

Penal Code (45 of 1860), S.376- Evidence Act (1 of 1872), S.3-Rape- Evidence of Prosecutrix-Corroboration-not necessary-Prosecutrix evidence need not be tested with same amount of suspicion as that of accomplice - Her evidence must receive the same weight as attached to evidence of injured witness.

It is a trite of law that a woman, who is the victim of sexual assault, it is not an accomplice to the crime but is a victim of another person's lust. The prosecutrix stands at a higher pedestal then an injured witness as she suffers from emotional injury. Therefore, her evidence need not be tested with the same amount of suspicion as that of an accomplice.Thus, the law that emerges on the issue is to the effect that statement of prosecutrix, if found to be worthy of credence and reliable, requires no corroboration. The Court may convict the accused on the sole testimony of the prosecutrix.

I have perused the above observations made in different facts and circumstances of the aforesaid particular cases which differ with that of the present case in hand. However, due weightage are given for arriving at the decision:

Here in the instance case the learned defence counsel focusing on some facts as come out in the evidence relating to the surroundings of the P.O. tried to convince this court that story as narrated by the victim is unreliable and improbable. The accused in their

statement defence stated that there was a proposal of marriage came from the side of the guardians of the victim and the same was refused by accused Rabul Hussain and his elderly inmates, and for that both the victim and his father created a concocted story not only against the said accused but also against the co-accused who happened to be a friend of accused Rabul. Learned P.P. on this point strongly contended that had there been any such proposal the defence could have adduced evidence by elderly inmates of accused Rabul at least to establish a probability of false implication.

21. Now, upon hearing the rival contentions, it appears that the moot question comes before this Court whether the testimonies of the victim can be relied upon to arrive at the decision.

It is evident that the victim is related with accused Rabul as cousin and he is her closed door neighbour. Under such circumstances it appears to be very natural that there may not be any re-action on the part of the victim at the first instance of the alleged act of taking away which can otherwise be expected from any other victim in case of such an act from an unknown person. Under such circumstances, even if it is believed that on the date of Idd festival at the relevant time of the afternoon there were many people on the road where the alleged incident of taking away took place, but it cannot be expected that such type of victim girl would always raise alarm or offer resistance against such type of taking away by her near relative. Further, it appears that such type of taking away takes very little time to come to the notice of any other person. Therefore, non-noticing of taking away by any other person, under the facts and circumstances of the case, cannot term the victim's testimony as false and that too being corroborated by other witnesses. It may be that the victim did not re-act against the alleged

offence, as the first instance seeing the involvement of accused Rabul being her relative and closed door neighbour. But this non re-action, if any, cannot merely tend to suggest that she deposed falsely. Even if under such circumstances the whole testimony of the victim is difficult to be disbelieved specially in the absence of any contradiction or any material discrepancy. It is also not believable that for refusal of any marriage proposal any parents of such minor girl could jeopardize the family reputation and also the future of such a minor girl. The corroborative evidence shows that the victim was found near Nachgar of Kashipur tea garden at night. If it is believed so, question comes as to how such a minor girl could reach there unless somebody took her. It is evident that there was no delay in filing of the ejahar on the very night of the Idd festival. It is not believable that any person having faith in Islam could lodge any false case on the day of any such holy festival and that too, with a such type of allegation involving reputation of their family. It is a fact that in the *ejahar* there is allegation of snatching away of gold necklace and ear rings. It is seen that the *ejahar* was written by other and nothing was uttered by the complainant (P.W.1) in this regard and also by the victim both in her evidence as well as in her previous statement made before the Magistrate and the doctor. Under such circumstances it is difficult to presume that such an additional allegation in the *ejahar* would term the testimony of the victim as false. It is evident that occurrence of alleged rape took place in lonely area of tea garden.

In view of the above discussion, considering the evidence in its entirety I find no reason to disbelieve the testimony of the victim. Evidence of the victim shows that both the accused persons took her forcibly but only the accused Rabul committed rape on her.

- 23. In view of the above discussion, contention of both sides and finding, it is held that prosecution case is proved beyond all reasonable doubt against both the accused persons U/S 366/34 IPC and also against accused Rabul Hussain U/S 4 of POCSO Act 2012. Therefore, accused persons are held guilty and convicted accordingly.
- 24. Heard the accused persons on the point of sentence. Their statements are also recorded in separate sheets tagged with the case record. Having due regard to their statement and the intention of legislature and the facts and circumstances of the case I convict both the accused persons U/S 366/34 IPC to undergo Rigorous Imprisonment (R.I.) for a period of five years and also to pay a fine of Rs. 2000/- each and in default shall further undergo R.I. for a period of one month. Accused Rabul Hussain Laskar is also convicted and sentenced U/S 4 of POCSO Act to undergo R.I. for a period of seven years with fine of Rs. 5000/- and in default he shall further undergo R.I. for a period of three months. Both the sentences shall run concurrently. Period of custody shall be set off from the sentence.

Victim Compensation U/s 357 (A) Cr.P.C.

25. It is evident that the victim hails from a poor family. Such an act of the accused persons not only tainted her cestity but also caused

mental trauma at the age of her adolescence and school life harmed the reputation of her family. The act of the accused persons also harmed her family reputation. Therefore, adequate compensation is required to be awarded. Having due regard to the above and all other aspects an amount of Rs. 100000/- (one lakh) is reasonably assessed as compensation U/S 357(A) Cr.P.C. Accordingly it is recommended that the said amount shall be paid to the victim as compensation.

Copy of the judgment be furnished to the accused free of cost as per provision section 363 Cr.PC and also be forwarded to the District Magistrate as per provision of Section 365 Cr.P.C. Further, a copy of Judgment shall also be forwarded to the Secretary of Govt. of Assam, Political Department, to the Secretary, State Legal Service Authority and also to the Secretary District Legal Service Authority for taking appropriate step for payment of compensation.

Judgment is pronounced and delivered in the open Court under my seal and signature on this 31st day of March, 2016.

(Shri K. Choudhury) Sessions Judge, Cachar, Silchar.

Dictated & corrected by me.

(Shri K. Choudhury) Sessions Judge, Cachar, Silchar.

Transcribed by : P. Dey, Stenographer.

IN THE COURT OF SESSIONS JUDGE, CACHAR, SILCHAR.

Spl. (POCSO) Case No. 12/2015.

APPENDIX

(A)	<u>PROSECUTION</u>	<u> WITNESSES:</u> -

- PW. 1 Altaf Hussain Laskar.
- PW. 2 Josim Uddin.
- PW. 3 Najira Begum Laskar.
- PW. 4 Jamrul Hussain.
- PW. 5 Badrul Ali Laskar.
- PW. 6 Sutapa Bhusan.
- PW. 7 Dr. Orina Raha.
- PW. 8 Binoy Nath (I.O).

(B) <u>DEFENCE WITNESSES</u>: - NIL.

(C) <u>COURT WITNESSES</u>: - NIL.

(D) PROSECUTION EXHIBITS: -

- Ext. 1 F.I.R.
- Ext. 1 (1) Signature of PW 1.
- Ext. 2 Statement.
- Ext. 2 (1) to 2 (4) Signatures of PW 3.
- Ext. 2 (5) to 2 (7) Initials of PW- 6.
- Ext. 2 (8) Signature of PW-6.
- Ext. 3 Medical report.
- Ext. 3 (1) Signature of PW 3.
- Ext. 3 (2) Signature of Dr. Orina Raha.
- Ext. 3 (3) Signature of Dr. G. Das.
- Ext. 4 Sketch Map.
- Ext. 4 (1) Signature of PW 8.
- Ext. 5 Written prayer.
- Ext. 5 (1) Signature of PW 8.
- Ext. 6 Certificate.
- Ext. 7 Charge sheet.
- Ext. 7 (1) Signature of PW 8.

(E) <u>DEFENCE EXHIBITS</u>: - NIL.

- (F) <u>COURT EXHIBITS</u>: NIL.
- (G) EXHIBITS PRODUCED BY WITNESSES: Nil.

(Shri K. Choudhuy), Sessions Judge, Cachar, Silchar.

31-03-16:

Both the accused persons are present

. Judgment is prepared in separate sheets tagged with the case record.

It is held that prosecution case is proved beyond all reasonable doubt against both the accused persons U/S 366/34 IPC and also against accused Rabul Hussain U/S 4 of POCSO Act 2012. Therefore, accused persons are held guilty and convicted accordingly.

Heard the accused persons on the point of sentence. Their statements are also recorded in separate sheets tagged with the case record. Having due regard to their statement and the intention of legislature and the facts and circumstances of the case I convict both the accused persons U/S 366/34 IPC to undergo Rigorous Imprisonment (R.I.) for a period of five years and also to pay a fine of Rs. 2000/- each and in default shall further undergo R.I. for a period of one month. Accused Rabul Hussain Laskar is also convicted and sentenced U/S 4 of POCSO Act to undergo R.I. for a period of seven years with fine of Rs. 5000/- and in default he shall further undergo R.I. for a period of three months. Both the sentences shall run concurrently. Period of custody shall be set off from the sentence._

Victim Compensation U/s 357 (A) Cr.P.C.

It is evident that the victim hails from a poor family. Such an act of the accused persons not only tainted her cestity but also caused mental trauma at the age of her adolescence and school life harmed the reputation of her family. The act of the accused persons also harmed her

family reputation. Therefore, adequate compensation is required to be awarded. Having due regard to the above and all other aspects an amount of Rs. 100000/- (one lakh) is reasonably assessed as compensation U/S 357(A) Cr.P.C. Accordingly it is recommended that the said amount shall be paid to the victim as compensation.

Copy of the judgment be furnished to the accused free of cost as per provision section 363 Cr.PC and also be forwarded to the District Magistrate as per provision of Section 365 Cr.P.C. Further, a copy of Judgment shall also be forwarded to the Secretary of Govt. of Assam, Political Department, to the Secretary, State Legal Service Authority and also to the Secretary District Legal Service Authority for taking appropriate step for payment of compensation.

Bail Bonds stand cancelled.

Judgment is pronounced and delivered in the open Court under my seal and signature on this 31st day of March, 2016.

(Shri K. Choudhury) Sessions Judge, Cachar, Silchar.

Dictated & corrected by me.

(Shri K. Choudhury) Sessions Judge, Cachar, Silchar.