IN THE COURT OF THE SESSIONS JUDGE : SONITPUR AT TEZPUR

PRESENT : Sri Ashok Kumar Borah, AJS

Sessions Judge Sonitpur, Tezpur

SESSIONS NO. 150 OF 2016 Under Section 302/201 IPC r/w Sect. 6 of POCSO Act GR Case No. 261/14

Prosecutor : State of Assam

-VS-

Accused : Sri Mushru Hemram

Son of Sri Larga Hemram

Vill – Sanapur PS- Missamari

District - Sonitpur, Assam

Date of framing Charge : 13-05-2016

Date of recording Evidence : 18-06-2016, 11-07-2016

03-01-2017, 18-01-2017 03-02-2017, 03-03-2017 24-03-2017, 15-06-2017 21-08-2017 & 08-09-2017

Date of examination of accused

u/s 313 CrPC : 30-06-2017

Date of Argument : 12-09-2017

Date of Judgment : 20-09-2017

Counsel for Prosecution : Sri M. Baruah

Public Prosecutor

Counsel for Accused : Mr. Moniram Tirki

Advocate

<u>JUDGMENT</u>

- 1. In this case, accused Sri Mushru Hemram is put for trial for allegation of charge u/s 302/201 of the IPC r/w Section 6 of the POCSO Act.
- 2. The factual matrix, according to FIR, in brief, is that on 31-01-2014, Friday, at about 6 p.m., while the informant's minor daughter was returning from her uncle's house, somebody has raped her and killed her lying her dead body at the side of Bengenajuli river. Hence, this prosecution case.
- 3. The ejahar was filed by complainant Smt. Manu Hemram before the O/C, Missamari PS on 01-02-2014. On receipt of the ejahar, O/C, Missamari PS registered the case vide Missamari PS Case No.11/14 u/s 376(i)/302/201 of the IPC. After completion of usual investigation, the O/C Missamari PS, sent up the case for trial against the accused person u/s 376(i)/302/201 of the IPC.
- 4. On being appeared the accused before the Court, after hearing both sides, charge framed u/s 302/201 of the IPC r/w Section 6 of the POCSO Act. Particulars of the charge are read over and explained to the accused to which he pleaded not guilty and claimed to be tried. To substantiate the case, prosecution examined as many as 15 (fifteen) numbers of witnesses. After completion of prosecution evidence accused was examined u/s 313 CrPC. All the allegations against the accused and evidence appears against the accused are put before him for his explanation where he denied the allegations and declined to give defence evidence.
- 5. I have also heard argument put forwarded by learned counsel for both parties.
- 6. The points for decision in this case is that : -
- (1) Whether on 31-01-2014 accused committed murder by causing the death of Monica Hemram and thereby committed an offence punishable u/s 302 of the IPC?
- (2) Whether on or about the same time, place, mentioned above, accused committed murder of Monica Hemram and thrown the body to

Bengenajuli river to screen the offender from punishment and thereby committed an offence punishable u/s 201 of the IPC ?

(3) Whether on or about the same time, place, mentioned above, accused committed penetrative sexual assault upon Monica Hemram and thereby committed an offence punishable u/s 6 of the POCSO Act?

Decision and reasons and reasons for decision

- 7. To arrive at a judicial decision, let me appreciate the evidence on record.
- 8. PW-1 Dr. Achyut Hazarika stated before the Court that on 03-02-2014 he was working as Sr. Medical and Health Officer at Kanaklata Civil Hospital, Tezpur and on that day at about 3-10 p.m., he performed post mortem examination on the dead body of Monica Hemram, 12 years, female, Hindu, resident of village Sonapur, PS Missamari in the district of Sonitpur, Assam, in connection with Missamari PS GDE No.05 dated 01-02-2004, on being escorted and identified by UBC 735 Bijit Nath, Panam Murmu and Gagon Hemron. He found the following:

External appearance:

A dead body of a female person average age 12 years. Rigor mortis present, Eyes and mouth are closed. Wearing skirt.

Multiple superficial cut (sharp) injury are found in front of the neck and multiple superficial injury are found on both breast jumbling teeth bite.

Multiple bruise are seen on both side of the front of the chest.

Tear seen on the posterior vaginal wall on right side. Size 2 cm x $\frac{1}{2}$ cm x $\frac{1}{2}$ cm, irregular in nature with bleeding seen from the injury. Uterus normal size. Vaginal smear for smermatozoa is absent.

Thorax:

Pleurae – (bleeding) Blood collection from pleural cavity.

Right lung – lacerated injury of right upper lobe right of lung.

Fracture – upper 3rd sternum is found fractured.

All injuries are found ante-mortem in nature.

All other organs are health.

Opinion:

The cause of death is due to shock and haemorrhage as a result of injury sustained. These injuries are sufficient to cause death of a person.

Ext.1 is the Post mortem report and ext.1(1) is his signature and Ext.1(2) is the signature of the Joint Director of Health Services, Sonitpur, Tezpur.

9. PW-2 Smt. Mono Hemram deposed before the Court that she knows the accused Mushru Hemram. Late Monica Hemram was her daughter. About one and half years ago, the occurrence took place. On the day of occurrence, Monica had gone to the house of the accused. She did not return. On the next day the dead body of Monica was discovered on the bank of river Bengenajuli. She had lodged an ejahar before police where she had put her thumb impression. She does not know how her daughter died.

In cross-examination she stated that accused is the younger brother of her husband. Monica often used to visit the house and on some occasions she also used to stay there. After the death of her husband, the accused being her brother-in-law looks after her family.

10. PW-3 Smt. Salma Hemram, the wife of the accused, stated before the Court that the incident took place on or about 3 years ago. On the day of incident, the deceased was staying in their house. The brother of the deceased, Jugal Hemram went to Udalguri. The deceased came to their house to bring some rice because her brother went to Udalguri, but she was missing from the place where she tethered her cattle. In the next morning, her dead body was recovered at the side of the river Bengenajuli.

In cross-examination, she admitted that the father of the deceased died earlier. The deceased quite often used to visit their house and they helped them. On the day of incident, her husband was not present at the house.

11. PW-4 Sri Andrias Topno stated before the Court that the incident took place on or about 3 years ago. The dead body was recovered at the side of river Bengenajuli. Police seized the wearing apparels of the deceased in his presence when he put thumb impression in the seizure list. He also stood as a witness while the dead body was conducted inquest.

In cross-examination, he admitted that he went to see the dead body while there were a hue and cry arose, but he cannot say how the deceased died.

12. PW-5 Sri Jader @ Judy Murmu stated before the Court that the incident took place on or about 3 years ago. On the next day of the incident, he along with Bhuban Mardi while returning after rats hunting, they saw one pair of sandal at the side of the river. They also noticed a dead body lying in the side of the river. Immediately, they informed the matter to the villagers. Both the sandals are of different colours. Then, they came to know that the Sandal belongs to the accused.

In cross-examination, he admitted that the sandal belongs to the accused. Deceased is the nice of the accused. Earlier deceased used to reside in the house of the accused.

- 13. PW-6 Sri Bhagawan Mardi stated before the Court that on the date of the incident while he along with Jade returned after rat hunting, they saw a pair of chappal on the side of the river and also noticed a female dead body lying at the side of the river.
- PW-7 Sri Jetha Mura stated before the Court that on or before two years ago, at about 10 o'clock, in the morning, he went to river side to see a dead body of a girl. The said place was side of the Bengenajuli river. Police reported that the girl was killed after rape. Police did not state who killed her after rape.

- 15. PW-8 Sri Dipak Murmu stated before the Court that at the relevant time he along with VDP Secretary went to the place of incident. he also heard that somebody killed the girl after committing rape.
- 16. PW-9 Sri Bablu Karmakar stated before the Court that the incident took place about 3 years ago. Said day was a Friday. On the next day of the incident, he came to know that one girl was murdered and kept her dead body at the side of the river Bengenajuli.
- 17. PW-10 Sri Sebastian Murmu stated before the Court that the incident took place about 3 years ago. He knew the deceased. In the next morning, he was informed by one Ruchiya that the dead body of a little girl was lying at the side of river Bengenajuli. Her detail statement was not recorded by police. Then, she turned hostile.

In cross-examination by the defence she stated that on the day of incident he went to his workplace. His wife informed him about the incident over phone. Accused is the uncle of deceased Monica. After the death of father of Monica, she used to reside in the house of her uncle i.e. accused. Accused Mushru is his neighbour. The accused has his own boys and girls. Monica quite often used the chappal of son and daughter of the accused. He cannot say how the incident took place.

18. PW-11 Sri Anusuya Sarma, Ld. Magistrate, who conduced inquest upon the dead body of deceased stated that on 01-02-2014, he was working as Executive Magistrate in the Deputy Commissioner's office, Sonitpur, Tezpur. On that day, as per verbal direction of the then District Magistrate, Sonitpur, Tezpur he has conducted inquest over the dead body of Monica Hemram, 12 years, female, village — Sonapur, PS- Missamari, in reference to Missamari PS GDE No.05 dated 01-02-2014, identified by one Mono Hemram, mother of the deceased. Ext.2 is the inquest report. The inquest was conducted in the presence of witness Endrias Topno, Jetha Munda, Monu Hemram.

19. PW-12 Sri Bhadreswar Munda stated before the Court that on or about 1 $\frac{1}{2}$ years ago, they were busy constructing a bamboo bridge. They heard that somebody killed a girl after committing rape. Then, he went to see the dead body. He did not see whether police seized any article or not. Ext.3 is the seizure list and Ext.3(1) is his signature. He saw one torn panty, one spaghetti, torn condition, at the place of occurrence. Police seized the said articles through Ext.3 in his presence.

In cross-examination, he admitted that he heard about the incident. He cannot say how the incident took place.

20. PW-13 SI Jyotish Goyary, stated before the Court that on last 01-04-2014, he was posted as attached officer at Missamari PS. On that day, O/C Missamari PS Sri Tilak Ch. Rai received a telephonic message from VDP Secretary Panen Murmu, made a GD Entry No.05 dated 01-02-2014 that a girl namely, Monica Hemram was raped and her body was thrown in Bengenajuli river in naked condition. Ext.4 is certified copy of aforesaid GD Entry which was certified by SI Tilak Ch. Rai. Upon aforesaid GD Entry he along with staff rushed to the place of occurrence i.e. Bengenajuli, Sonapur. On the said day i.e. 01-04-2014, he has received a written ejahar filed by Smt. Munu Hemram. In the said ejahar the complainant put her thumb impression. Ext.5 is the said ejahar and Ext.5(1) is his signature of the then O/C of Missamari PS Sri Tilak Chandra Rai. Then, he recorded the statements of witnesses and prepared the sketch map. Ext.6 is the said sketch map and Ext.6(1) is his signature. At the place of occurrence, he found the dead body of the girl lying near the river Bengenajuli. In the body there were no clothes in the upper part of her body. I seized one panty (green colour) and one spaghetti which were lying at the place of occurrence vide Ext.3 and Ext.3(2) is his signature. Inquest on the dead body was conducted by leaned Executive Magistrate Smt. Anushuya Sarma. After inquest he has sent the dead body for post mortem examination to KCH, Tezpur vide dead body challan. Then he has collected the post Mortem report.

Thereafter, he arrested the accused Musru Hemram on 16-06-2014. During investigation, he has sent the seized articles to FSL and accordingly, after receiving the FSL report, he has submitted the charge-sheet against the accused Musru Hemram u/s 376 (i)/302/201 of IPC read with Section 6 of POCSO Act. Ext.7 is the charge-sheet and Ext.7(1) is his signature.

He has recorded the statement of witness Sabestian Murmu. Said witness Sabestian Murmu stated before me that "on 31-01-2014, I saw that Mushru Hemram and Monica Hemram went towards the house of Monica Hemram in the evening time about to be sun set and in the early morning I heard that Monica Hemram was raped and murdered nearby bank of river Bengenajuli and the slippers are left in the place of occurrence was seen in the morning hours in the slippers of Mushru hemram. Later on before reaching police at the place of occurrence the slippers (chappal) was collected by him."

Ext.8 is the case diary of GR Case No.261/14 and Ext.8(1) is the statement of the said witness Sabestian Murmu and Ext.8(2) is his signature.

In cross-examination, he admitted that the O/C, Missamari PS received the telephonic message at about 10.10 a.m. on 01-02-2014 upon which the GD entry was made. As directed by the O/C, he, the O/C and other police staff immediately rushed to the place of incident. They had engaged their sources to nab the accused. After about one week, three boys on suspects brought to the police station. Among them, Bijay Hemram, Soran Hemram and Sona Hashda. In the next morning, aforesaid persons left for Udalguri. He has arrested the accused after about six months of the day of the incident. Before reaching the place of occurrence, the chappal was concealed by the accused person.

21. PW-14 Sri Moneswar Mardi stated before the Court that the incident took place on or about 3 years ago. Deceased and accused both are their neighbour. On the day of incident, he was at their village. In the day time, they saw accused and deceased Monica were loitering together. In the evening at about 6 p.m. he saw Monica in the house of the accused and in the next morning at about 6 a.m., the dead body of Monica Hemram was found lying at the side of Bengenajuli river. On the day of incident, the elder brother of Monica

Hemram, Jogan Hemram was at Udaluri. Thereafter, the mother of the deceased filed this case.

In cross-examination, he admitted that accused is the uncle of Monica. After the death of father of Monica, she used to reside in the house of the accused. Sometimes, she (Monica) stayed there. In most of the days, Monica used to say in the house of accused i.e. uncle and sometimes, she (Monica) used to stay at their own house. The accused person is their neighbour. On the day of incident, he was at his home. It requires to cross Bengenajuli river to go to the house of Monica from the house of the accused.

22. PW-15 Sri Sankar Chandra Rava, the Scientific Officer, Serology Department, Directorate of Forensic Science, Assam, Guwahati, stated that on 11-02-2014, he was working as Jr. Scientific Officer, Serology Division, Directorate of Forensic Science, Assam, Guwahati, Kahilipara and on that that he received a parcel from the Directorate of Forensic Science, Assam, Guwahati, Kahilipara in connection with Missamari PS Case No.11/14 u/s 376(i)/302/201 of the IPC for examination which was sent by S.P, Sonitpur, Tezpur.

The parcel was sealed cloth cover in a cartoon box consists of two exhibits. On opening the parcel he found two exhibits in one cartoon box which was marked by him as follows :

- 1. One green colour panty with stain of suspected semen. His examination No. Sero 3288 /A;
- 2. One Brinjal colour inner body ware with stain of suspected semen. His examination No. Sero 3288 /B;

He has carefully examined the above exhibits and found the following results :

- 1. Ext. Sero 3288/B gave positive tests for human blood and negative test for spermatozoa.
- 2. Ext.Sero 3288/A gave negative test for spermatozoa (semen).

Ext.9 is the FSL report and Ext.9(1) is his signature. Ext.10 is the collection report and Ext.10(1) is his signature. Ext.11 is the forwarding letter of Directorate of Forensic Science, Assam, Guwahati, Kahilipara and Ext.11(1) is the signature of Director of Forensic Science, Assam, Guwahati, Kahilipara Mr. M. N. Borah.

- 23. Defence plea is total denial while his statement was recorded u/s 313 CrPC. He simply stated that he is innocent and deceased who is her own niece, a minor girl and of and on used to visit their home. The deceased sometimes put their chappal.
- 24. I have also heard argument put forwarded by both sides.
- 25. Ld. counsel for the accused submitted that prosecution has failed to prove the case beyond any reasonable doubt.

Firstly, there is no any direct evidence or any eye witness who could have stated that he / she had seen the accused in killing of the deceased.

Secondly, there is no any iota of evidence that accused committed rape on deceased. Medical report is also silent to that effect.

Thirdly, it is a fact that the deceased is the own niece of the accused and after the death of father of the deceased, she used to reside in her uncle's house. Deceased sometimes used the chappal of the children of the accused. Therefore, the recovery of chappal may be used by the deceased but which belong to the children of the accused.

Fourthly, merely the evidence of PW-14 reveals that he saw accused and deceased loitering together in the day time or he noticed deceased in the hose of the accused at 6 p.m., that cannot be taken as a last seen theory to implicate the accused in killing of the deceased. Since there is ample evidence that the deceased quite often used to stay at her uncle's (accused) house.

Therefore, that cannot be a good reason to implicate the accused in killing of the deceased.

Fifthly, PW-15, the Scientific officer, opinion that the Ext. Sero 3288 /B gave positive test for human blood but negative test for spermatozoa, but the said positive test does not show that the said blood belong to the accused. Therefore, the evidence of PW 15 no way supported the prosecution case.

Sixthly, PW-1, the doctor, who conducted the post mortem on the dead body, opined that cause of death is due to shock and haemorrhage as a result of injury sustained, but that cannot be a ground to suspect the accused in killing of the deceased.

Lastly, the incident took place on the night of 31-01-2014 but the accused was arrested on 16-06-2014 merely on suspicion. Law is well settled, suspicion, however, may be grave it cannot be the only ground for conviction.

- 26. On the other hand, Ld. Public Prosecutor submitted to convict the accused under the charged sections as prosecution has ably proved the case beyond all shadow of doubt.
- 27. Keeping in mind the rival submission advanced by ld. counsel of both sides, I am going to dispose of the case as follows:
- 28. Here in the present case, as stated above, 15 numbers of witnesses are examined by prosecution. Out of 15 numbers of witnesses, 4 PWs are official witnesses and remaining 11 PWs are non-official witnesses. Among them, one witness i.e. PW-10 Sebastian Murmu turned hostile. Then there remains 10 numbers of witnesses, but none of them are eye witness to the occurrence.
- 29. Let us discuss the evidence adduced by other non-official witnesses. PW-2 Smt. Mono Hemram stated that on the day of incident, Monica

had gone to the house of the accused but she did not return. On the next day, the dead body was recovered on the bank of river Bengenajuli. Then, she lodged the ejahar before the police. In fact, PW-2 though complainant is not an eye witness to the occurrence. PW-3 Smt. Salma Hemram, wife of the accused, stated that on the day of incident, the deceased came to their house to bring some rice as her elder brother Jugal Hemram went to Udalguri. She stated that she was missing from the place where the cattle tethered and thereafter, on the next morning, her dead body was found at the side of river Bengenajuli. PW-4 Andrias Topno stated that on the day of incident, a female dead body was recovered from the side of the river Bengenajuli, while he visited there, police seized some clothes of the deceased where he put thumb impression as a witness in the seizure list. Similarly, when police conducted the inquest upon the dead body he also put signature in the inquest. Therefore, PW-3 and PW-4 stated nothing against the accused as to the committing rape or killing the deceased, as alleged. PW-5 Jader Murmu and PW-6 Bhagawan Mardi who had stated that in the next morning of the day of incident, they while returning after rats hunting, they saw a pair of sandal lying near the river Bengenajuli. They also saw the dead body of a female lying at the side of river Bengenajuli. But there is evidence that the deceased used to visit in the house of the accused who is her own uncle. It is also evident that deceased quite often used the chappal of son and daughter of the accused. Mere recovery of chappal near the dead body belong to the family members of the accused, it cannot be implicated the accused in the alleged offence. PW-7 Jetha Mura, PW-8 Dipak Murmu, PW-9 Bablu Karmakar, in fact, stated nothing against the accused. They simply stated on being came to know that a female dead body was lying at the side of river Bengenajuli, they went there and saw the dead body. Therefore, from the statements of aforesaid three witnesses it cannot be revealed any materials against the accused to any of the alleged offences.

- 30. It is already stated that PW-10 Sebastian Murmu turned hostile.
- 31. Now, the question comes whether the hostile evidence of PW-10 can be used to convict the accused ?

32. It has been held in **State of Rajasthan Vs. Bhawani (2003) 7 SCC 291**, where the Hon'ble Supreme Court held that : -

"The fact that the witness was declared hostile by the court at the request of the prosecution counsel and he was allowed to cross-examine the witnesses, no doubt furnishes no justification for rejecting en block the evidence of the witnesses. But the court has at least to be aware that prima facie, a witness who makes different statements at different times, has no regard for truth. His evidence has to be read and considered as a whole with a view to find out whether any weight should be attached to the same. The Court should be slow to act on the testimony of such a witness and, normally, it should look for corroboration to his evidence. The High Court has accepted the testimony of the hostile witnesses as gospel truth for throwing overboard the prosecution case which had been fully established by the testimony of several eye witnesses, which was unimpeachable character. The approach of High Court in dealing with the case, to say the least is wholly fallacious."

33. In another case i.e. **State of Bihar Vs. Laloo Prasad Yadav, reported in 2004 (Cr) 499**, it has been held that : -

"Normally, when the Public Prosecutor requested for permission to put cross-question to a witness called by him, the court used to grant it. Here if the public prosecutor had sought permission at the end of the chief examination itself, the trial court would have no good reason for declining the permission sought for. But the Public Prosecutor is not do so at that stage. Be that as it may, if the Public Prosecutor is not prepared to own the testimony of the witness examined by him, he can give expressed of it in different forms. One of which form is the one envisaged in S.154 of the Evidence Act. The very fact that he sought permission of the court soon after the end of the cross-examination, was enough to indicate his resolve not to own all

what the witness said in his evidence. It is again open to the Public Prosecutor to tell the court during final consideration that that he is not inclined to own the evidence of any particular witness in spite of the fact that said witness was examined on his side. When support option is available to a Public Prosecutor, it is not a useful exercise for the Supreme Court to consider whether the witness shall again be called back for the purpose of putting cross-question to him."

- 34. Coming to the present case, it appears that other prosecution witnesses of the case no way supported the prosecution case. That apart, there is no any evidence which is corroborated to the hostile evidence of any of the prosecution witnesses. As stated above, the said witness PW-10 intentionally resiled from the statement made to the Investigating Officer earlier. He suppressed the material fact intentionally. Therefore, the hostile portion of evidence of PW-10 cannot be used to convict the accused in the present case.
- 35. Then, there remain only three witnesses, PW-11, Ld. Magistrate, who conducted the inquest, PW 12 and PW-14. PW-12 Sri Bhadreswar Munda is nothing but a seizure witness. In one time he stated that in the seizure list (Ext.3) he put his signature [Ext.3(1)]. On the other hand, he stated that he has not seen police seized any article. Therefore, his statement cannot be relied as a seizure witness.
- Next comes PW-14 Sri Moneswar Mardi who stated that both the accused and deceased Monica were his neighbours. On the day of incident, he was at his own village home. In the day time, he saw accused and Monica were loitering and in the evening at about 6 p.m., he saw Monica in the house of the accused, but in the next morning at about 6 o'clock, the dead body of Monica was found lying at the side of river Bengenajulil. On the day of incident, the brother of Monica, Jugal Hemram went to Udalguri. In fact, the accused is the own uncle of Monica (the deceased). After the death of father of Monica, Monica quite often used to reside in the house of the accused. There is also evidence that sometimes Monica used to stay at night in the house of the accused. It is

quite natural that a niece can be resided in the house of her own uncle. There is also evidence that the chappal used by the son and daughter of accused, sometimes used by Monica. Merely because accused was seen with the deceased in the day time of the previous day of the incident and also in the evening of 6 p.m., the last seen theory is applied to implicate the accused in the killing of the deceased after committing her rape. Besides, the law is well settled that suspicion whatever grave may be, a person cannot be convicted only on mere suspicion. Therefore, the evidence of the aforesaid witnesses cannot be used in convicting the accused from any of the angle. As discussed herein above, there is no any chain of circumstances, even not to speak of any such circumstances, to infer the accused person in killing of the deceased after committing the rape. As such, it is held that there is no any circumstances appears from the evidence to show to any of the conclusive nature or having any tendency to implicate the accused in the case. A careful perusal of the whole case record, as discussed hereinbefore, it appears that prosecution has categorically failed to adduce any direct evidence or any circumstantial evidence to infer the accused in any of the charges levelled against him.

- 37. The onus of proving the facts is essential to establishment of the charge against the accused lies upon the prosecution and the evidence must be such as to exclude every reasonable doubt about the guilt of the accused. An accused cannot be convicted of an offence on the basis of conjectures or suspicion. Here in this case, as discussed above, a reasonable doubt arisen in my mind, after taking into consideration the entire material before it regarding the complicity of the accused, so benefit of doubt given to the accused.
- In view of the aforesaid discussion, I am bound to hold that the prosecution categorically failed to prove the alleged charge against the accused beyond any reasonable doubt and as such the accused is acquitted on benefit of doubt from the charge levelled against him and set him at liberty forthwith.
- 39. Liability of the bailor is hereby discharged.

- 40. Send the GR case record No.261/14 to the ld. committal court along with a copy of judgment.
- 41. Given under my Hand and Seal of this Court on this 20th day of September, 2017

(A. K. Borah)
SESSIONS JUDGE
SONITPUR: TEZPUR

Dictated and corrected by me

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

Dictation taken and transcribed

by me:

J. K. Muru, Steno

APPENDIX

Prosecution witnesses:

PW-1	:	Dr. Achyut Hazarika, Medical Officer
PW-2	:	Smt. Mono Hemram, the complainant
PW-3	:	Smt. Salma Hemram
PW-4	:	PW-4 Sri Andrias Topno
PW-5	:	Sri Jader @ Judy Murmu
PW-6	:	Sri Bhagawan Mardi
PW-7	:	Sri Jetha Mura
PW-8	:	Sri Dipak Murmu
PW-9	:	Sri Bablu Karmakar
PW-10	:	Sri Sebastian Murmu
PW-11	:	Sri Anusuya Sarma, Ld. Magistrate
PW-12	:	Sri Bhadreswar Munda
PW-13	:	SI Jyotish Goyary, Investigating Officer
PW-14	:	Sri Moneswar Mardi
PW-15	: /	Sri Sankar Chandra Rava, the Scientific
	Â	Officer

Prosecution Exhibits

Ext.1 : Post Mortem Report

Ext.2 : Inquest report

Ext.3 : seizure list

Ext.4 : Certified copy of GD Entry

Ext.5 : the ejahar

Ext.6 : Sketch Map

Ext.7 : Charge-sheet

Ext.8 : the case diary of GR Case No.261/14

Ext.9 : FSL report

Ext.10 : collection report Ext.11 : forwarding letter

Material Exhibits

Nil

(A. K. Borah) SESSIONS JUDGE SONITPUR : TEZPUR