Special (P) Case No. 30/19

30/08/19

Accused Raju Ali @ Sarudhan is produced from jail hajot and remanded till 13/09/19.

I have heard learned counsels for both sides on the point of charge. Learned defence made submission that as charge sheet has been submitted u/s- 4 of the POCSO Act therefore section 376 IPC is irrelevant and as per materials on record accused introduced him as one Himangshu, so ingredient of section 419 IPC will attract.

I have Perused case record, case diary, statement of witnesses and victim, medical report and on scrutiny of entire documents on record I find prima-facie materials to proceed with the case against accused Raju Ali @ Sarudhan u/s- 4 of the POCSO Act and alternately u/s- 376 IPC. I further find prima-facie materials to proceed with the case against accused Raju Ali @ Sarudhan u/s- 366A/419 IPC. Accordingly, formal charge is framed u/s- 366A/419 IPC and section 4 of the POCSO Act and alternative charge u/s- 376 IPC is framed against accused Raju Ali @ Sarudhan and read over and explained to the accused to which he pleaded not guilty and claimed to be tried.

Issue summon to witnesses. Fixed 13/09/19 for evidence.

Special Judge Nalbari