Present: Utpal Prasad, AJS Sessions Judge Chirang

07.03.2020

ORDER

The accused Surjya Sutradhar has been produced from custody to which he is remanded back till **21.03.2020**.

Heard learned PP on case management of the instant case. He has submitted the filled in form of check list handed over to him on the previous date. Perused the same. Heard him as well.

Learned PP has submitted that certified copy of the material exhibits corresponding to MR no. 26 of 2019, Zimmanama no. 16 of 2019 corresponding the the said MR, certified copy of the General Diary Entry no. 813 dated 26.09.2019 of Basugaon Police Station have not been submitted and needs to be called for. The Officer in charge of the concerned police station or the Investigation Officer, if he is still posted in the same police station, shall produce the material exhibits corresponding to MR no. 26 of 2019, Zimmanama no. 16 of 2019 corresponding the the said MR, certified copy of the General Diary Entry no. 813 dated 26.09.2019 of Basugaon Police Station. Send a copy of this order to him requiring compliance.

He has further submitted that victim is a vulnerable witness in this case. Let name and description of vulnerable witness be sent to the learned Secretary, District Legal Services Authority, Chirang in a closed envelope along with a copy of this order. Learned Secretary, District Legal Services Authority, Chirang may consider appointment of a support person for the said vulnerable witness and of taking up of steps as per the Vulnerable Witness Guidelines of the Hon'ble Gauhati High Court. If needed, he is requested to appoint and depute a para legal volunteer for the said purpose.

Learned Public Prosecutor has also submitted that during trial, he proposes to examine all the witnesses cited in the charge sheet. He has submitted that in addition, he also desires to someone and examine **the Headmaster**, **Dipu Kashibari L.**

P. School, who has issued the certificate containing date of birth of the victim, even though he has not been cited as witness in the charge sheet.

Prosecution shall take steps for production of the material exhibits corresponding to MR no. 26 of 2019, Zimmanama no. 16 of 2019 corresponding the the said MR, certified copy of the General Diary Entry no. 813 dated 26.09.2019 of Basugaon Police Station on 21.03.2020 with endorsement of the corresponding issue numbers in the margin of the order sheet.

Learned Public Prosecutor has submitted the list of documents the prosecution proposes to rely in support of the case. Learned legal aid Counsel has gone through the list and has submitted that copies of all those documents have been provided to him. He shall admit/deny all or any of the aforesaid documents in view of section 294 of the Code of Criminal Procedure, 1973 on **21.03.2020**. On the said date, learned legal aid Counsel shall also make submissions in view of the judgement rendered by the Honourable Supreme Court in the case of *State of Kerala Vs. Rasheed*.

Also list the case for evidence on **04.04.2020**, **18.04.2020**, **02.05.2020**, **04.05.2020**, **05.05.2020**, **06.05.2020**, **08.05.2020**, **11.05.2020** and **22.05.2020**.

Prosecution shall take steps for summoning all the witnesses with endorsement of the corresponding issue numbers in the margin of the order sheet.

Sessions Judge Chirana