Special (P) Case No. 31/18

26/09/19

Accused persons namely Shahjahan Ali, Saddam Ali, Rakibul Hussain, Mokbul Hussain, Marjina Begum, Rehena Begum @ Bibi, Monija Begum and Nurjahan Bibi are present.

Heard both sides on the point of charge. Perused case record, case diary, ejahar, statement of the victim recorded u/s- 161 CrPC and 164 CrPC, medical report, statement of witnesses and on scrutiny of entire documents on record I find prima-facie materials to proceed with the case against accused Shahjahan Ali u/s- 376 IPC and section 4 of the POCSO Act. Accordingly, formal charge is framed against accused Shahjahan Ali u/s- 376 IPC and section 4 of the POCSO Act and read over and explained to the accused to which he pleaded not guilty and claimed to be tried.

On perusal of the case record, case diary, ejahar, statement of victim and witnesses it reveals that it was the informant who went to the house of accused persons coming to know about commission of rape of his victim daughter by accused Sahjahan and at that time family members of accused Sahjahan driven out informant. I do not find any materials of section 147/148/447/294/506 IPC against accused persons namely Saddam Ali, Rakibul Hussain, Mokbul Hussain, Marjina Begum, Rehena Begum @ Bibi, Monija Begum and Nurjahan Bibi. Accordingly, they are discharged from the charge of above sections of law.

Issue summon to witnesses. Fix 18/12/19 for evidence.

Special Judge Nalbari