THE COURT OF THE SPECIAL JUDGE, SONITPUR AT TEZPUR

SPL(POCSO) CASE NO. :- 02 of 2015

(Under Section 10 of POCSO Act, arising out of G.R. Case No 22 of

2015)

Present :- Sri Ashok Kumar Borah, AJS

Special judge, Sonitpur,

Tezpur

Prosecutor :- State of Assam

-vs-

Accused :- Sri Santa Hazarika

Son of Late Cheniram Hazarika

Resident of Bogolibari Police Station – Sootea Dist :- Sonitpur, Assam.

Date of framing Charge 15/03/2016

Date of Recording Evidence :- 03/05/2016, 08/08/2016,

20/08/2016, 09/11/2016,

& 28/04/2017.

Date of examination of accused u/s 313 Cr.P.C

:- 26/04/2018

Date of examination of DW :- 05/01/2018

Date of Argument :- 09/07/2018 & 25/07/2018

Date of Judgment :- 25/07/2018.

Counsel for the Prosecution :- Mr. Munin Chandra Baruah

Special Public prosecutor, Sonitpur

Counsel for Accused :- Smti M. Bhagawati, Advocate

<u>JUDGMENT</u>

- **1.** In this case accused Sri Santa Hazarika is put for trial for allegation of charge under Section 10 of POCSO Act.
- 2. The various facts leading to this case according to FIR in brief is that on or about 12 O' clock in the day of about one month ahead of filing of the ejahar i.e. on 04-01-2015 accused taking advantage of absence of other family members came to the house of the informant and attempted to commit rape by opening the clothes of 6 years old minor daughter of the informant. While she raised alarm accused could not able to commit rape to her. Thereafter, the accused was fled away from his house. After some time villagers caught the accused. Hence, this prosecution case. The ejahar was filed by informant Sri Pranjan Hazarika before the O/C of Sootea PS on 04-01-2015.
- **3.** On receipt the ejahar the O/C Sootea P.S. registered the case, vide Sootea PS Case No. 03/15, under Section 511 of IPC read with section 6/7 of POCSO Act. After completion of usual investigation, the O/C Sootea Police station sent up the case for trial against the accused Sri Santa (Piku) Hazarika under Section 8 of POCSO Act.
- **4.** On being appeared the accused person before this Court after hearing both parties, my learned predecessor-in-court, framed charge under section 10 of POCSO Act. Particulars of the charge are read over and explained to which he pleads not guilty and claimed to be tried.
- 5. To substantiate the case prosecution examined as many as 6 (six) numbers of witnesses and also examined one Court Witness. Accused pleads total denial while his statement was recorded u/s 313 Cr.P.C. All the allegations made against the accused and evidence appears against the accused are put before him where he denied the evidence and declined to give defence evidence.
- **6.** I have also heard argument put forwarded by the learned counsel for both parties.

7. The point for decision in this case is that:

(i) Whether one month prior to 04-01-2015, at about 12 noon, at Bogilibari, under Sootea Police station, accused committed aggravated sexual assault on victim, aged about 6 years of age and thereby committed an offence punishable under section 10 of POCSO Act?

Reasons, Decisions and reason for decision

- **8.** To arrive at the judicial decision, let me appreciate the evidence on record.
- PW- 1, the minor victim who was examined aster testing 9. her ability of understanding and rationality, stated that she called the accused as "bordeuta". His house is situated on the other side of their house. At that time she was a student of class II standard. Incident took place at day time. On the said day in their house one cow gave birth a calf. Her grandmother asked her to give some "Phehu" to Jupitara, who is the daughter of the accused. Thereafter, she gave some "phehu" to the accused. In the house of the accused, accused (Bordeuta) opened her underwear (Panty), fell her down in bed, touched her private parts through his penis. He also pressed on her chest. In the meantime, Jupitara saw the incident. She (Jupitara) informed the matter to neighbours. When accused came to know that Jupitara saw the incident he left her. He also asked her not to disclose the matter to the villagers as these acts are very bad. She at first informed the matter to her grandmother. Thereafter, she informed the matter to her mother. Lateron she informed to her father and also informed to the headman of the village. Her father lodged a complaint before the police station. After instituting the case, she was examined through the doctor of Biswanath Chariali hospital.

Though she has been exposed to long cross-examination except giving many suggestions, the evidence as to at the relevant time while she went to the house of the accused to give some "phehu", accused fell her down in the bed, opening her pant and

touched her private parts through his penis and accused also pressed on her chest has remained unchallenged.

PW-2 Sri Pranjal Hazarika, father of the victim and informant of this case, stated that the accused Santa Hazarika is not related to him but he resides in a house which is situated infront of his house. There is a road in between their houses. At the time of occurrence she was 6 years old and was a student of Class II. About one year ago the occurrence took place. The occurrence took place at about 12 noon and at that time he was not at home because he went out to work. His sister-in-law Gitanjali and another person named Heramba Hazarika informed him about the occurrence. He immediately came home and met Mintu Hazarika on the road infront of his house. He also saw a group of women had gathered infront of his house. He could not find the accused at that time as he had already fled. He was advised by the villagers to go to the Police Station. Accordingly, he informed police and they came to their village in search of the accused but could not find him. His daughter informed him about the fact of the case. When he had orally informed police about the occurrence, immediately his daughter sent by police to Biswanath Chariali for medical examination and his wife accompanied his daughter. He had asked villagers to hand over the accused to police. On this issue a meeting was held. The accused was also attended the said meeting. The accused was against the decision of the villagers so after about one month of the occurrence, he had filed the written ejahar in the police Station. Ext. 1 is the written ejahar and Ext. 1(1) is his signature. Ext. 1 was written by a professional ejahar writer. On the basis of his instruction, the said ejahar was written.

In cross-examination, he admitted that he has two daughters. Rinki is his first daughter. On the day of the occurrence, his daughter was sent to medical examination. On the day of the occurrence, when he had come to his residence form the place of work, he met Smt. Kuki Hazarika, Sri Tutu Handique, Sri Bubu Handique, Sri Heramba Hazarika, Sri Ashim Saikia, Smt. Rupali

Hazarika, Smti Bhanu Saikia etc. infront of his house. Kuki Hazarika had asked him to go the police station and accordingly he went there. There are four other houses between the house of the accused and that of Kuki Hazarika. When he had gone to the Police station on being advised by Kuki Hazarika, he took with him, his wife and victim daughter. Then he had filed the ejahar but Ext. 1 does not mentioned the reasons in lodging the ejahar in late.

11. PW-3 Sri Manash Saikia stated that he knows the accused Santa Hazarika. he also know the victim, D/O Pranjal Saikia. He cannot recall the date of incident. In the meeting held near the house of the accused, he was present there. He heard that the accused has committed rape on the victim.

In cross- examination, he stated that he has not seen the incident himself. At the time of incident, he was at his shop at Centre. Accused is their neighbour. After hearing the news he has not visited the place of occurrence. Other than that he does not know about the incident.

PW- 4 SI Pradip Hazarika, Investigating Officer of this case, **12.** stated that On 04-01-2015 he was posted at Sootea Police station as SI of Police and on that day, O.C Sootea PS, Sub Inspector Homendra Hira on receipt of one FIR from Pranjal Hazarika, S/O Sri Jatin Hazarika of Bogolibari, PS Sootea registered a case being Sootea PS Case No. 3/15 u/s 511 of IPC r/w section 6/7 of POCSO Act and endorsed him for investigation of this case. Ext. 1 is the said FIR and Ext. 1(2) is the signature of O.C Sootea PS, Sub Inspector Homendra Hira. Thereafter, he had visited the place of occurrence i.e. the house of the accused situated at Bogolibari village. He has recorded the statement of witnesses namely, Pranjal Hazarika, Manas Saikia, Manju Hazarika, Dilip Hazarika at the place of occurrence. He prepared a sketch map of the place of occurrence vide Ext. 2 and Ext. 2(1) is his signature. He found the accused Santa Hazarika @ Pinku at the place of occurrence, arrested him. On the next day, he forwarded the accused to judicial custody. After receiving transfer order, he handed over the case diary to the then

O.C Sootea PS. He has not recorded the statement of the victim because she is 6 years old.

In cross-examination he admitted that on 04-01-2015 he has visited the place of occurrence. Immediately after endorsement to investigate the case, he has been proceeded to the place of occurrence. He has not seized any articles from the place of occurrence. According to the statement of the father, the victim was 6 years old. He has not sent the victim for medical examination. The witnesses are not eye witnesses. Both the accused and the victim are resides in the same locality. He has also met one five years old daughter of the accused at his home. There is a good relation in between the accused's family and the informant. The remaining part of investigation was done by his successor I.O. Ms Dhariti Choudhury.

13. PW 5 SI Satish Sahoo, stated that on 18-03-2015 he was posted at Sootea Police station as Officer-in-Charge. On that day after taking charge of the O/C, he has also taken the charge of remaining part of investigation of Sootea PS Case No. 3/15. During investigation, he has seized one DVD R Moserbaer containing the VDO recording of statement of the victim prepared in connection with the investigation of the case. That DVD is hand over to him by Smti Dharitri Choudhury, SI of police posted at Biswanath Chariali in presence of the witnesses namely, Shabsrang Basumatary, constable No. 237 of 12th APBN Camp, Sootea PS, Platoon No. 20 and UBC Kiron Chandra Doley of Sootea PS. Ext. 3 is the said seizurelist of aforesaid DVD and Ext. 3(1) is his signature. Material Ext. 1 is the said DVD. He has mentioned in the Case diary that Jupitora, the daughter of the accused who has seen the incident was about 3 / 4 years so he did not feel to record the statement of Jupitara. Then he filed the charge sheet against the accused Santa Hazarika u/s 8 of POCSO Act. Ext. 4 is the charge sheet and Ext. 4(1) is his signature.

- **14. PW 6** Smt. Dharitri Choudhury, stated that on 27-03-2015 she was posted as SI of police at Sootea Police station. On that day, she recorded the statement of victim in her house in Sootea PS Case No. 03/15 (GR Case No. 22/15) as per the request of O/C of Sootea Police station and she being the lady officer for that reason she was called for from Biswanath Chariali. Accordingly she recorded the statement of witnesses and prepared CD after VDO Graph.The said CD was seized by I.O. from her. Ext. 3 is the said seizurelist and Ext. 3(2) is her signature.
- **15. CW 1** Miss Jupitara Hazarika, the daughter of the accused stated that accused is her father. He cannot recall the date of incident. She knows Rinki Hazarika, she is her neighbor. At the relevant time, her parents went to paddy field to cut paddy and she was alone at her house with her grandmother. She did not see any incident.

In cross-examination, she admitted that Sweety is her friend. She used to play with her. On the day of incident, Sweety came to their house to give "Fehu" and it was handed over to her grandmother and she has eaten some "Phehu" as given by her grandmother. Sweety used to visit their house even today. She also brings her mother to their house and they have a talking terms with her mother.

- **16.** These much is the evidence of prosecution.
- **17.** Defence plea is total denial while his statement was recorded u/s 313 Cr.P.C.
- **18.** Learned counsel for the accused submitted that the prosecution has failed to prove the case beyond any reasonable doubt. **Firstly,** other than victim no one eye witness to the occurrence. **Secondly,** there is a wide contradiction in between the statement of victim and the ejahar. **Thirdly,** when accused came to know that Jupitara has witnessed the incident, then he left the victim but CW 1 Jupitara no way supported the version of the victim. As such, the accused is required to be acquitted.

- 19. On the other hand, learned Special Public Prosecutor has submitted that the prosecution has ably proved the case against the accused beyond any reasonable doubt. Firstly, there is no any other person in the house of the accused when the incident took place. Therefore, it is futile to expect for the prosecution to adduce other witnesses. Secondly, Jupitara being the daughter of the accused naturally did not give any evidence against her own father. Thirdly, immediately after the incident victim reported the matter to her grandmother, then to her mother and then to her father. Fourthly, the statement of the victim corroborated to the statement made before the I.O. and Lastly, there appears no any evidence that accused has any enmity or quarrel with the complainant to implicate him falsely.
- **20.** Keeping in mind, the rival submissions advanced by the learned counsels of both the parties, I am going to dispose of the case as follows.
- **21.** After going through the evidence of the aforesaid witnesses, it is seen except the victim, there is no eye witness to the incident, but after the incident, the victim informed about the incident to her grandmother and thereafter she informed the matter to her mother. When her father arrived lateron from his works she narrated the whole incident to her father, which are corroborated. According to the PW 2, the informant, who is the father of the victim stated that the incident took place about one year ago at about 12 noon and which are corroborated.

According to PW 2, the informant who is the father of the victim, stated that the incident took place about one year ago at about 12 noon and at that time he was not at home because he went out to his work. His sister-in-law and another person named Heramba Hazarika informed him about the incident. He immediately came home and met Mintu Hazarika on the road infront of his house. He could not find the accused at that time as he had already fled away. He was advised by the villagers to go the police station and accordingly, he informed police. Initially the villagers were

convened a meeting where he asked the villagers to hand over the accused to police. In the meeting accused was also present. The accused was against the decision of the villagers so after about one month of the occurrence he had filed the written ejahar in the police station. Ext. 1 is the written ejahar and Ext. 1(1) is his signature. The victim PW 1 stated that at the time of incident, she was a student of class II standard. On that day a calf was born in their house. Her grandmother asked her to give some "Phehu" to Jupitara, who is the daughter of the accused. Then she went to the house of her "Bordeuta". In their house, her "Bordeuta" opened her underwear (Panty), fell her down in bed, thereafter, her "Bordeuta" touched her private parts through his male sexual organ. He also pressed her chest. In the meantime, Jupitara seen the incident through the window. She (Jupitara) informed the matter to neighbours. On being came to know that Jupitara seen the incident her "Bordueta" immediately left her. She was also told her "Bordueta" not to disclose the matter to any person. After the incident she immediately informed the matter to her grandmother and thereafter to her mother. On arrival of her father she reported the matter to her father. Then her father lodged the complaint before the police station. Though she has been exposed to long cross-examination except giving many suggestions, the evidence as to at the relevant time when she went to the house of her "Bordeuta" to give some "phehu" to Jupitara, accused (bordeuta) fell her down in the bed, opened her pant and touched her private parts through his sexual male organ and accused also pressed on her chest has remained unchallenged. Her evidence is corroborated with the statement made before the police u/s 161 Cr.P.C. Though her statement was not recorded through the learned Magistrate but immediately after lodging the ejahar, the I.O. has recorded her statement which has corroborated.

22. Learned counsel for the accused submitted that the prosecution has failed to prove the age of the victim as they have not been seized any school certificate or Birth certificate of victim to

ascertain the age. Therefore, the case cannot be stated to be fallen under POCSO Act.

- **23.** It is true that in the present case there is no documents like Birth certificate or age certificate or any certificate issued by the School authority where the victim last studied or any certificate issued by local Panchayat etc. to prove the victim that she was 6/7 years at the time of incident. According to the victim on the day of deposition i.e. on 03-05-2016 she was 7 years old. The incident took place on or about one month ahead of the day of filing of the ejahar i.e. on 04-01-2015 that means it was occurred probably in the month of December, 2014. Therefore, at the time of occurrence her age was less than 5 years. According to the informant, i.e. the father of the victim, at the relevant time victim was about 6 years old. In regard to age as stated by victim and her father, defence has not been challenged at any point of time therefore it can be safely held that the victim was a minor.
- 24. In the case of **K. Muthu Mariappan Vs State**, represented by the Inspector of Police, **Criminal Appeal (MD)**No.98 of 2015, it was held that it is true that primary evidence to prove the date of birth of the individual may be preferably the birth certificate. But, it cannot be said that in absence of birth certificate, the date of birth cannot be proved. When the age of the individual is not disputed, the question of proving the same does not arise at all. It is the settled law that a fact in issue or any relevant fact or any fact relevant to the issue, which is disputed by the adverse party alone, needs proof. If it is not disputed, there is no need to lead any evidence in proof of the said admitted fact.
- **25.** In this case, the victim and her father categorically stated the age of the victim was about less than 5 years from the very beginning of the case, at the time of commission of offence, besides during cross-examination, the same has not been disputed at all by the accused side. Thus, the evidence of PWs 1 and 2 in respect of age of the victim remains unchallenged.

26. In the case in hand, the victim has been consistent on the material particulars with regard to the incident that on the day of incident, when victim went to the house of the accused to give some "Phehu" to Jupitara, the daughter of the accused, accused hold her, laid her down on bed, opened her underwear, touched her private parts through his male sexual organ and thereby committed sexual assault to her. During that time, Jupitara, daughter of the accused (her bordeuta) seen the incident through the window and on being seen Jupitara, accused left the victim. It is a fact that though Jupitara was examined as CW 1 she did not state that she seen her father in committing such type of misdeed to the victim. Obviously Jupitara being a minor daughter of the accused, the incident took place somewhere in the month of December, 14 and she was examined before the court as CW 1 on 05-01-2018 i.e. after about four years. Obviously, during that four years time she might have developed her knowledge that if she stated the truth then her evidence would go against her father so it is expected that a daughter never supported such incident against her father. According to the victim, after the incident she reported the incident to her grand mother first then to her mother and on arrival of her father she reported the matter to her father. According to the PW 2, the father of the victim/informant stated that her daughter informed him about the fact of the case.

PW 3 is an independent reporting witness. He heard from the villagers that accused has committed rape on the victim. Thereby he also supported the prosecution case. There is nothing in the evidence of PWs that the accused had any enmity or quarrel with the complainant to file the case falsely against the accused by implicating his own young daughter. Therefore, the defence of false allegation is not made out.

27. The Hon'ble Supreme Court in **State of Rajasthan Vs. Babu Muna (2013) 4 SCC 206,** has observed as under :-

"9. We do not have any slightest hesitation in accepting the broad submission of Mr. Jain that the conviction be based on the

sole testimony of the prosecutrix, it found to be worthy of credence and reliable and for that no corroboration is required. It has often been said that oral testimony can be clarified into three categories, namely, (i) wholly reliable, (ii) whole unreliable and (iii) neither wholly reliable nor wholly unreliable. In case of wholly reliable testimony of single witness, the conviction can be found without corroboration. This principle applies with greater in terms in case the nature of offence is such that it is committed in seclusion. In case prosecution is based on wholly unreliable testimony of single witness but the court has no option to acquit the accused."

- **28.** Undoubtedly in a criminal trial any such lapse on the part of accused is not leading any defence evidence would not have mattered much as prosecution is supposed to prove its case beyond shadows of all reasonable doubts. However, in a case under POCSO Act, the situation is not so. In this regard, it will be worthwhile to refer to the provisions of Section 29 and 30 of POCSO Act.
- **29.** U/s. 29 of POCSO Act, a mandatory presumption for certain offence is to be drawn against the accused in a prosecution for certain offences and same reads as under:
- "29. Presumption as to certain offences Where a person is prosecuted for committing or abetting or attempting to commit any offence u/s.3, 5, 7 and Section 9 of this Act, the Special Court shall presume that such person has committed or abetted or attempted to commit the offence, as the case may be, unless the contrary is proved.
- **30.** Similarly, Section 30 of POCSO Act mandates that the Special Court shall draw a presumption of the existence of culpable mental state of the accused where culpable mental state is required on the part of the accused. Section 30 reads as under:
- "30. Presumption of culpable mental state (1) In any prosecution for any offence under this Act which requires a culpable mental state on the part of the accused, the Special Court shall presume that existence of such mental state but it shall be a defence for the accused to prove the fact that he had no such

mental state with respect to the act charged as an offence in that prosecution.

- (2) For the purpose of this section, a fact is said to be proved only when the Special Court believes it to exist beyond reasonable doubt and not merely when its existence is established by a preponderance of probabilities.
- **31.** Coming now to the fact as to whether conviction can be recorded on the sole testimony of a child witness or not? Such issue was dealt by the Hon'ble Apex Court in **Virendra Vs State of U.P., (2008) 16 SCC**, which are reproduced as under:

"The Evidence Act does not prescribe any particular age as a determinative factor to treat a witness to be a competent one. On the contrary, Section 118 of the Evidence Act envisages that who may testify – all persons shall be competent to testify unless the Court considers that they are prevented from understanding the questions put to them, or from giving rational answers to those questions, by tender years, extreme old age, disease, whether of body or mind, or any other cause of the same kind."

- **32.** A child of tender age can be allowed to testify if he or she has intellectual capacity to understand questions and give rational answers thereto. The evidence of a child witness is not required to be rejected per se, but the Court as a rule of prudence considers such evidence with close scrutiny and only on being convinced about the quality thereof and reliability can record conviction, based thereon.
- **33. In Dattu Ramrao Sakhare Vs State of Maharashtra, (1997) 5 SCC 341**, it was held that a child witness if found competent to depose to the facts and reliable one such evidence could be the basis of conviction. In other words, even in the absence of oath the evidence of a child witness can be considered u/s.118 of the Evidence Act provided that such witness is able to understand the questions and able to give rational answer thereof. The evidence of a child witness and credibility thereof would depend upon the circumstances of each case. The only

precaution which the Court should bear in mind while assessing the evidence of a child witness is that the witness must be a reliable one and his/her demeanour must be like any other competent witness and there is no likelihood of being tutored.

- **34.** Subsequently, in **Ratansingh Dalsukhbahai Nayak Vs State of Gujarat, (2004) 1 SCC 64**, it was held that the decision on the question whether the child witness has sufficient intelligence primarily rests with the trial Judge who notices his manners, his apparent possessions or lack of intelligence, and the said Judge may resort to any examination which will tend to disclose his capacity and intelligence as well as his understanding of the obligation of an oath.
- **35.** In the present case, at the time of examination of the victim, some questions were put to her and she replied the same without any hesitation and after confirming about the understanding and ability to speak rational answers my learned predecessor in court recorded her statement. Her statement was also supported by PW 2, her father.
- **36.** On appreciation of the evidence given by the victim, her father and other independent witnesses, it comes to the conclusion that it is the accused who attempt to commit sexual assault to the victim. The victim was no doubt not examined by the I.O. through the doctor or even her statement was not recorded u/s 164 Cr.P.C. Under such circumstances, I think that the prosecution has failed to prove the ingredients of section 10 of the POCSO Act.
- **37.** In regard to the age of the victim, it appears that as stated above, the victim as well as father of the victim all were stated that the victim is below 12 years of age. However, I.O. has failed to produce any documentary proof as to her age, neither she was medically examined to know about her age. Under such circumstances, it can be sated that accused has attempted to commit the offence of sexual assault and therefore, accused Sri Santa Hazarika is acquitted from the alleged charge u/s 10 of the POCSO Act but he is convicted u/s 18 of the POCSO Act.

- **38.** The accused is heard on the point of sentence where he praying for leniency stating that he has his wife and one little daughter to look after and he has been in custody for a long time. Besides that he is the only bread earner of his family, hence, praying for leniency.
- **39.** I have heard learned counsel for the accused as well as learned Public Prosecutor, Sonitpur.
- 40. Turning to the question of sentence, it is the settled law that while deciding the quantum of punishment, it is required that the Court should strike a balance between aggravating circumstances and mitigating circumstances. The aggravating circumstances relate to the crime and mitigating circumstances relate to the criminal. In this case, so far as the aggravating circumstances are concerned, a minor girl was sexually exploited. The wound caused to the girl is not only to the body but also to the mind of not only to the victim but that of entire family members, but considering the mitigating circumstances, the accused was hardly 35 years of age at the time of the incident. It is not brought to the notice of this Court that before this incident, the accused had committed any other offence. There is likelihood of his reformation, but the statute u/s.18 of POCSO Act a punishment for any description provided for the offence, for a term which may extend to one-half of the imprisonment for life or, as the case may be, one-half of the longest term of imprisonment provided for that offence or with fine or with both.

ORDER

41. I convict the accused Sri Santa Hazarika u/s. 18 of POCSO Act and sentence him to Rigorous Imprisonment for 3 (three) months and to pay a fine of Rs. 10,000/- (Rupees ten thousand only) in default Rigorous Imprisonment for 5 (five) months.

It appears from the record that the accused has been in custody since 05-01-2015 to 04-04-2015.

The period, which he detained in custody, shall be set off from the period of imprisonment, imposed on him.

- **42.** The fine if realized be given to the father of the victim as compensation.
- **43.** A copy of this Judgment be furnished to the accused free of cost and a copy thereof be sent to the District Magistrate, Sonitpur, Tezpur, as per provisions of law.

Given under my Hand and Seal of this Court on this the 25^{th} day of July, 2018.

(Ashok Kumar Borah) SPECIAL JUDGE, SONITPUR: TEZPUR

Dictated and corrected by me

(Ashok Kumar Borah) SPECIAL JUDGE, SONITPUR :: TEZPUR

Dictation taken and transcribed by me:

Smt. R. Hazarika, Steno

APPENDIX

Prosecution Witness

1. Prosecution Witness No.1 :- Victim Miss X

2. Prosecution Witness No.2 :- Sri Pranjal Hazarika, complainant

Prosecution Witness No.3
 Prosecution Witness No.4
 Prosecution Witness No.5
 Si Pradip Hazarika,I.O.
 Satish Sahoo, I.O.

6. Prosecution Witness No.6 :- Smti Dhariti Choudhury, SI of police.

Court Witness.

CW 1 - Miss Jupitara Hazarika.

EXHIBITS

Exhibit 1 :- Ejahar
Exhibit 2 :- Sketch map.
Exhibit 3 :- Seizurelist,
Exhibit 4 :- Chargseheet.

(Ashok Kumar Borah)
SPECIAL JUDGE
SONITPUR: TEZPUR