

**Present:- Sri N. J. Haque, CJM, Sonitpur,  
Tezpur**

Tezpur PS Case No-1676/2021

GR Case No-2706/2021

U/S-468/419/471 of IPC

ORDER

13.08.2021

Case record put up today before me.

Accused person, named, Md. Abdur Razzaque aged about 30 years was arrested and produced in connection with this instant case registered under section-468/419/471 of IPC.

Seen the Forwarding Report, Memo of Arrest, Inspection Memo, Notice-50 of CrPC, Check List Medical Reports, and Case Diary.

On perusal of the entire case record, it disclosed that the accused person produced today on being arrested i.e. on 12.08.2021 at 8:40 PM and thereafter, he was duly undergone COVID-19 test at Kanaklata Civil Hospital Tezpur where he tested negative.

The I/O had complied the guidelines of Hon'ble Apex Court given in the case of **State of Bihar v/s Arnesh Kumar**. The I.O further submitted the check list in accordance with law on complying the provision of section-41(A) of CrPC.

Accused person is not represented by his Ld. Counsel and on being asked he has informed that his family member is going to engage advocate for his defence and accordingly, he declined to receive any assistance from this court.

Seen the prayer of the I/O where the I/O has prayed 03 (Three) days of police custody of the said accused person stating that for the sake of

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recovery of other fake documents and to apprehend the other co-accused police custody is required.

I have carefully perused the case diary and it finds that the instant prosecution case sets in motion against the accused person as soon as an ejahar lodged by one Md. Jakir Hussain, on 12.08.2021 alleging inter-alia that the above-named accused had used fake certificate by forgery the seal and signature of the informant where the date of issue of the certificate was on 30.07.2021 but he had transferred from Bhangamandir, Sonitpur and joined at Rupahihat, Nagaon on 14.06.2021 as ADO. It is also alleged that he observed and collected the fake certificate from the Aadhar Enrolment table on 12.08.2021 at Indian Bank Adhar Centre, Tezpur when he attended for his own Adhar Enrolment.

Now, coming to the question of granting of police remand of said accused, this court has meticulously considered the materials available in the case diary and to catch the other co-accused along with recovery of other fake documents, police remand of said accused is required. Accordingly, having considered upon the materials on record, the prayer of I/O regarding police custody for 03 days is allowed. Hence, the above-named accused person is sent to police custody for a period of three days and during his police remand, the I/O is directed to follow the guidelines of **Hon'ble Supreme Court given in the case of D.K. Basu –vs- State of West Bangle**. Further, the I/O shall provide adequate medical treatment to the accused persons during his police custody by way of medically examining the accused person in every

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interval of 24 hours and the I/O shall forward the medical reports of the accused person before the Court. The I/O shall not torture the accused person in any manner which is not permitted as per law.

The I/O shall produce the accused person before this court on **16.08.2021** after examining COVID-19 test. Furthermore, the I/O shall comply the guidelines of COVID-19 during police remand of the said accused person.

Also seen the prayer of the I/O for perusal of 03 nos of seizure list along with seized article i.e. (i) one certificate for Adhar Enrolment update issued in the name of Pinki Ghosh Acharjee dated-30.07.2021 certified by Jakir Hussain Agril. Dev. Officer Bhangamandir, Circle Sonitpur Assam suspected to be fake; (ii) One Adhar Enrolment/Correction update form, update provided Adhar No-744121134348 in the name of Pinki Ghosh Acharjee verified with Original by Indian Bank marked as MR No-297/21. Also seen the seized article i.e. one OPPO A31 mobile handset, Model-CPH2015 (Colour OS Version) V6.12 bearing SIM No-7002685511 & 7664938680 including IMEI No-864693044086459 & 864693044086442 marked as MR No-298/21. Also seen the seized articles i.e. (i) One Irish, Model Name CIS202, Cogent Irish Scanner 202, Serial No-CIS2021201063; (ii) One finger print, Model-TP4101, SN-AED490102629; (iii) One HP Laptop 1000; (iv) One seal of Agril. Dev. Officer, Bhangamandir Circle, Sonitpur Assam; (v) One application Rizuwan Ahmed, certified by Jakir Hussain, Agril. Dev. Officer, Bhangamandir Circle, Sonitpur Assam suspected to be fake; (vi) One application Rubia Khaton certified by Jakir Hussain, Agril. Dev. Officer, Bhangamandir Circle,

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Sonitpur Assam suspected to be fake; (vii) One application Hasina Begum certified by Jakir Hussain, Agril. Dev. Officer, Bhangamandir Circle, Sonitpur Assam suspected to be fake; (viii) One application Ashima Begum certified by Jakir Hussain, Agril. Dev. Officer, Bhangamandir Circle, Sonitpur Assam suspected to be fake; (ix) one application Afzalur Rahman certified by Jakir Hussain, Agril. Dev. Officer, Bhangamandir Circle, Sonitpur Assam suspected to be fake; (x) one application Imanullah Hussain certified by Jakir Hussain, Agril. Dev. Officer, Bhangamandir Circle, Sonitpur Assam suspected to be fake; (xi) One application Putul Rani Pal certified by Jakir Hussain, Agril. Dev. Officer, Bhangamandir Circle, Sonitpur Assam suspected to be fake; (xii) One application Nazbin Nehar certified by Jakir Hussain, Agril. Dev. Officer, Bhangamandir Circle, Sonitpur Assam suspected to be fake; (xiii) one application Anchal Kumari certified by Jakir Hussain, Agril. Dev. Officer, Bhangamandir Circle, Sonitpur Assam suspected to be fake; (xiv) one application Parbina Begum certified by Jakir Hussain, Agril. Dev. Officer, Bhangamandir Circle, Sonitpur Assam suspected to be fake; (xv) one application Ramen Kheria certified by Jakir Hussain, Agril. Dev. Officer, Bhangamandir Circle, Sonitpur Assam suspected to be fake; (xvi) One application Kuki Sharma certified by Jakir Hussain, Agril. Dev. Officer, Bhangamandir Circle, Sonitpur Assam suspected to be fake; (xvii) One application Saharul Khan certified by Jakir Hussain, Agril. Dev. Officer, Bhangamandir Circle, Sonitpur Assam suspected to be fake; (xviii) One application Sangita Nayak certified by Jakir Hussain, Agril. Dev. Officer, Bhangamandir Circle,

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Sonitpur Assam suspected to be fake; (xix) One application Swapna Mandal certified by Jakir Hussain, Agril. Dev. Officer, Bhangamandir Circle, Sonitpur Assam suspected to be fake; (xx) one application Asmina Begum certified by Jakir Hussain, Agril. Dev. Officer, Bhangamandir Circle, Sonitpur Assam suspected to be fake; (xxi) one application Sonu Sahu certified by Jakir Hussain, Agril. Dev. Officer, Bhangamandir Circle, Sonitpur Assam suspected to be fake; (xxii) one application Bhanita Lahakar certified by Jakir Hussain, Agril. Dev. Officer, Bhangamandir Circle, Sonitpur Assam suspected to be fake marked as MR No-299/21. The prayer of the I/O considered and allowed and seizure lists are seen along with the seized articles. Let furnish photostat copy of seizure lists and the seized articles to the I.O, keeping the original seizure list with the case record.

Return back the case diary.

Inform all the concerned.

Sri N. J. Haque  
Chief Judicial Magistrate  
Sonitpur, Assam