

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

Tezpur PS Case No-1646 of 2021

GR Case No-2658 of 2021

U/S-379 of IPC

ORDER

16.08.2021

Case record put up today before me along with petition No-497/21 filed by the petitioner, named, Md. Mojibur Rahman claiming accused Md. Mirajul Islam to be a child conflict in law (CCL). The petitioner further claimed the age of the accused Md. Mirajul Islam to be 16 years 10 months 19 days as per the birth certificate of the said accused. The petition submitted in support with an affidavit and a photostate copy of school leaving certificate of accused Mirajul Islam issued by Head Master of Govt. B.I.C. M.E. School, post office Itakhola, Sonitpur.

Heard both sides and perused the school leaving certificate issued by Head Master of Govt. B.I.C. M.E. School, post office Itakhola, Sonitpur.

It disclosed from the case record that accused Mirajul Islam was apprehended and produced before this court on 12.08.2021 and on that day he was granted police remand for a period of 06 days. Today, the petitioner claimed that the accused named Mirajul Islam to be a juvenile and in support of his claimed he submitted a photostate copy of school leaving certificate issued by Head Master of Govt. B.I.C. M.E. School, post office Itakhola, Sonitpur.

Before arriving at any conclusion over the age of the accused Mirajul Islam, this court is obliged to hold an enquiry regarding the actual age of the said accused. Furthermore, to decide the genuineness of the certificate Head Master of Govt. B.I.C. M.E. School, post office Itakhola, Sonitpur needs to be examined by way of calling the Head Master of Govt. B.I.C. M.E. School, post office Itakhola, Sonitpur before the court.

16.08.2021

Accordingly, issue notice upon the Head Master of Govt. B.I.C. M.E. School, post office Itakhola, Sonitpur to bring the Original Admission Register of accused Mirajul Islam positively on the next date.

Fixing 18.08.2021 for further enquiry and necessary order.

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