

IN THE COURT OF THE SESSIONS JUDGE SONITPUR:: TEZPUR

SESSION CASE NO. 48 of 2018

Under section 448/323/376/511 of I.P.C
(Arising out of G. R Case No. 3675 of 2016)

State of Assam

-Vs-

Rejek Ali

...Accused Person

**Present: Sri C.B. Gogoi,
Sessions Judge,
Sonitpur :Sonitpur.**

For the State : Mr. M.C. Baruah, Public Prosecutor

For the accused : Md. Hussain, Advocate.

Date of Argument : 13.08.2021.

Date of Judgment : **23.08.2021.**

J U D G M E N T

1. Brief fact of the prosecution case is that on 30-10-2016 one "X" (real name withheld) lodged an FIR in Thelamara Police Station alleging inter alia that on 26-10-2016 accused Rejek Ali named in the FIR allegedly made phone call to her from mobile no. 9854450282 and 9085507205 and asked her to involve in physical relation with him in lieu of money offered by him and on her refusal on 30-10-2016 accused

entered into her room by opening the door and tried to commit rape on her forcefully. However, when she made hue and cry accused attempted to cut her with a dao but she along with her mother-in-law somehow grabbed the accused and with the help of other neighbours accused was caught. But, later on accused was released on the assurance that there will be a village meeting later on. It is stated that the husband of informant has been in Kerala in connection with his livelihood and taking advantage of this situation accused ventured to take this illegal act. Hence, this case.

2. Following the FIR Thelamara PS registered a case being Thelamara PS Case No. 105/2016 u/s 448/376/511/307 IPC and took up investigation.

3. During the course of investigation, police visited the place of occurrence, drew the sketch map, seized one green white nighty, one green colour blouse and one dao vide M.R. No. 56/2016 dated 30-10-2016 and also recorded the statement of the mother-in-law of the informant before Magistrate u/s 164 Cr.P.C. On completion of investigation police finally laid the charge-sheet against accused Rejek Ali u/s 448/376/511/323/506 IPC with a view to stand trial.

4. During the course of trial, when accused appeared in Court, the learned Judicial Magistrate 1st Class, Tezpur vide order dated 08-03-2018 committed the case record to the Court of Sessions for trial after due compliance of Section 207 of Cr.P.C. Having received the case record on committal, a case being Sessions Case No. 48/2018 was registered and on 23-03-2018 the then Sessions Judge framed charge u/s 448/376/323/511 IPC. The particulars of the offences on being read over and explained, accused pleaded not guilty and claimed trial.

5. During the course of trial, the prosecution in order to bring home the guilt of accused, examined as many as 10 (ten) witnesses including the informant and Investigating Officer.

6. To substantiate the case, prosecution also produced and proved the following documents:

Ext. 1 is FIR, Ext. 1(1) is the signature of the victim (PW1), Ext. 2 is seizure list, Ext. 2(1) is the signature of victim (PW1), Ext. 2 (2) is the signature of PW2 Sahara Bibi, Ext. 2 (3) is the signature of PW9 ASI Guluk Chandra Das, Ext. 3 is statement of Sahara Bibi u/s 164 Cr.P.C., Ext. 3 (1) & 3 (2) is the signature of PW2, Ext. 4 is Charge-sheet, Ext. 4(1) is the signature of PW8 Prassana Saharia, Ext. 5 is Sketch Map, Ext. 5(1) is the signatures of PW9 ASI Guluk Chandra Das, Ext. 6 is C.D. of Thelamara PS No. 105/2016, Ext. 6(1) is the relevant portion of statement of witness Imman Ali, Ext. 6(2) is the signature of PW9 ASI Guluk Chandra Das, Ext. 6(3) is the relevant portion of statement of witness Kasum Ali, Ext. 6(4) is the signature of PW9 ASI Guluk Chandra Das, Ext. 7 is order of Addl. CJM dated 31-10-2016, Material Ext. 1 is green while colour nighty.

7. At the end of the trial, accused was examined u/s 313 Cr.P.C. Accused, however, denied the prosecution case as false and concocted but, on being asked, accused expressed his intention to adduce defence evidence.

8. Accordingly in the course of trial accused examined one Dr. Pranjali Borah as DW1.

9. Points for decision -

(i) Whether on 30-10-2016 at about 02.00 AM accused committed criminal trespass by entering into the house of victim "X" in order to commit offence of rape and thereby committed offence punishable u/s 448/511 IPC as alleged ?

(ii) Whether on the same day and time accused attempt to commit rape on victim "X" and thereby committed offence punishable u/s 376/511 IPC as alleged ?

(iii) Whether on same day and time accused voluntarily caused hurt to victim "X" and thereby committed offence punishable u/s 323/511 IPC as alleged ?

Discussions, Decisions and reasons thereof :

10. I have heard the learned lawyers appearing for both sides and carefully scanned the entire evidence and documents available on record.

11. The learned PP Sri Munin Baruah appearing for the State submitted that in the instant case prosecution examined as many as 10 (ten) witnesses including the victim and her mother-in-law as PW1 and PW2 and their evidence is natural, credible and worthy of credence. Their evidence has also been corroborated by the evidence of other prosecution witnesses in material particulars and there is no room left for doubting the truthfulness of their evidence. PW1 and PW2 clearly narrated that accused made phone call to victim with bad intention prior to incident but in spite of her disagreement accused entered into the room of informant at 2.00 AM while she was asleep and attempted to commit rape and towards bad act accused hurt her, tore her blouse and nighty while attempting to commit rape on her but she raised alarm. Then, accused tried to cut her with a dao but with the help of her father-in-law, mother-in-law and local public accused was apprehended. This fact has been narrated by mother-in-law of the victim in clear words and also fortified by the evidence of I.O. who stated that during investigation he seized one nighty and one blouse marked as material Ext. 1 and Ext. 2 respectively and one dao marked as Material Ext. 3. PW1 the victim further deposed that in the heinous attempt of the accused she sustained injury on her neck. Therefore, the learned PP submitted that there is sufficient evidence emerged in the mouth of the

prosecution witnesses for sustaining conviction of accused u/s 448/376/323/511 IPC.

12. On the other hand, the learned counsel Md. Hussain appearing for the accused vociferously contended that the entire prosecution case was concocted and fabricated one based on unfounded allegations. The fact that prosecution has brought a false case has been proved by the fact that most of the prosecution witnesses namely PW1 (victim "X"), PW2 Sahara Bibi, PW5 Farjul @ Farul Haque are family members being the daughter-in-law, mother-in-law and father-in-law respectively. Therefore, it is natural that their evidence is interested one being given only with a purpose of finding the accused guilty. The evidence of other witnesses namely, PW3 Imman Ali, PW4 Farida Bibi, PW6 Fajar Ali and PW7 Kusum Ali are unworthy of credit as their presence on the spot at the dead of night is most unlikely. They have adduced false evidence as if they were present on the spot at the time of incident.

13. It is the arduous contention of the learned counsel for the accused that there are inconsistencies in the evidence of prosecution witnesses as regard to the time of incident. According to PW1 incident took place at 2 AM midnight, according to PW2 Sahara Bibi incident occurred at 2 PM day time and as per evidence of doctor the date and time of injury was 11.30 AM on 30-10-2016 and according to PW6 Fazar Ali the incident took place at 2 AM. Therefore, the inconsistent time of incident narrated by prosecution witnesses cast a serious doubt about the very timing of the incident. Even the I.O. PW9 Guluk Chandra Das failed to mention the time of incident but stated the date of occurrence as 30-10-2016. Therefore, the evidence of I.O. also failed to clearly state at what time the incident in question took place.

14. Moreover, the PW3 Md Imman Ali and PW7 Kasum Ali have been declared hostile by the prosecution as such their evidence carries no evidentiary value. Learned defence counsel further contended that what

has been stated by PW1 in court on oath has not been stated by her before Investigating Officer at the time of investigation. She made out a complete new story in her evidence in court which is not consistent with her earlier statement before police u/s 161 Cr.P.C. as such not worthy of reliance.

15. Now, having heard the learned lawyers appearing for both sides and on careful perusal of the evidence on record it is to be seen whether the offences charged u/s 448/376/323/511 have been established by prosecution for sustaining conviction.

16. Admittedly, the incident in question took place on 30-10-2016 at about 2 AM and to this effect FIR has been lodged by the victim "X" (Ext. 1). In the FIR, it was also alleged that on 26-10-2016 accused made a phone call to informant indicating illicit act with her in lieu of money but she refused.

17. On perusal of evidence of PW1 (victim) deposed in court on oath it is seen that PW1 the alleged victim "X" narrated the same fact in court stating that at about 2 AM when she was asleep, accused entered into her room and attempt to commit rape and in the process accused hurt her, tore her blouse and nighty in his attempt to commit the misdeed. She then raised alarm but accused picked up a dao from her house and tried to cut her. But, she caught the accused and raised the alarm. On hearing the alarm her mother-in-law, father-in-law and local public arrived and they apprehend the accused. Then Imman Ali took away the dao from the hand of the accused. During that time her husband was at Kerala. Then local people consulted with her and assured to convent a meeting in the morning and accused was given into the custody of his father. As the meeting did not resolve the issue, she was forced to file the case. Ext. 1 is the FIR and Ext. 1(1) is her signature. In the process she sustained injuries in her neck and police took her to medical examination and also seized the dao along with her torn blouse

and nighty. Ext. 2 is the seizure list and Ext. 2(1) is her signature. Material Ext. 1 is the torn green white colour nighty and material Ext. 2 is the torn green blouse and material Ext. 3 is the said "dao".

18. The evidence of PW1 has been corroborated by her mother-in-law Sahara Bibi (PW2) in material particulars. The statement of Sahara Bibi has been recorded by Magistrate u/s 164 Cr.P.C. during investigation (Ext. 3) wherein she reiterated the same fact consistently which support the version of PW1 (victim) in material particulars as regard to the time of incident and place of incident and the person involved in the incident. Though, statement u/s 164 Cr.P.C. is not a substantive piece of evidence but it can be used for purpose of corroboration. If the evidence of the witness in court on oath lends credence then statement u/s 164 Cr.P.C. can be relied on as corroborative piece of evidence. Therefore, there is no reason to disbelieve or discard the evidence of PW1 as false and untrue merely because she was the mother-in-law of victim "X". In rural backdrop, the incident, as the present one, is not uncommon or unusual. Because, as is seen in the present case, the accused taking advantage of absence of husband of victim in her residence exploited the situation by entering into her room at odd hours and this is one of such instances which cannot be readily thrown out as unworthy of credit.

19. In 1996 (2 GLR 285) Nasiruddin Ahmed appellant Vs State of Assam where the Hon'ble Gauhati High Court in paragraph 11 held as under:

"11. Be it noted that law does not require a proof with mathematical precision and accuracy. The definition of proof u/s 3 of Evidence Act is wide enough to cover even a plea into existence of a particular fact by a prudent man and not even actual existence but even probable existence which can be believed by prudent man is covered by the definition of proof."

20. So, for believing a fact to be true the standard of proof as per Section 3 of Indian Evidence Act is the belief of a prudent man. In the present case, the version of the victim "X" is a question of belief by court from the point of view of a rational man. It cannot be presumed that the victim is telling lie against the accused unless the things as alleged by victim had happened. Section 3 of the Evidence Act is wide enough to cover even a plea into existence of a particular fact by a prudent man and not even actual existence by even probable existence which can be believed by prudent man is covered by definition of proof.

21. The evidence of PW 1 the alleged victim cannot be said to be solitary evidence of the victim (PW 1) as her evidence has been fully corroborated by the evidence of PW 2 Sahara Bibi, PW 3 Imman Ali, PW 4 Forida Bibi, PW 5 Farjul @ Farul Haque and PW 6 Fajar Ali as all of them reached the spot after the victim PW 1 raised alarm and they saw accused Rejek Ali in the house of victim. Therefore, all these witnesses in fact corroborated the presence of accused in the house of the victim at the relevant time and there is therefore, no reason to disbelieve their evidence as false because victim has narrated her ordeal how the accused made sinister attempt to outrage her modesty by entering into her room at odd hours taking advantage of absence of her husband at home.

22. The evidence of victim lends credence by fact that prior to the incident on two occasions accused made phone call to her expressing his bad intention. Therefore, the fact that accused entered into the room of the victim on the day of incident and tried to commit rape on her by force is worthy of credence because in rural backdrop and in the society in which the victim lives such incidence used to happen and therefore, the evidence of victim cannot be discarded as unworthy of credit as forcefully contended by the learned lawyer appearing for accused person.

23. In this regard, the Judgment of Hon'ble Supreme Court reported in **(2015) 1 SCC (Cri) 293 Deny Borah ... Appellant Vs. State of Assam ... Respondent**, as referred by learned counsel for the accused in my considered view has no application to the facts of the present case because in the said case there was evidence of only solitary witness. As such, her evidence was rejected as not reliable being not corroborated by the evidence of other prosecution witnesses. In the present case, the evidence of PW 1 (victim) has been supported by evidence of PW 9, Investigating Officer Guluk Chandra Das as he seized one green white colour nighty and one green colour blouse and a dao in presence of the witnesses. This is a vital fact which is supported by version of PW 1 (victim). Though, the defence tried to contradict PW 9 by drawing the attention of the Investigating Officer to the statements of the witnesses previously recorded by him but failed to contradict him in material particulars. Some minor discrepancy here and there is bound to occur which are not of such a degree to negate the prosecution case.

24. During the course of argument, learned counsel appearing for accused by drawing the attention of the court to the evidence of DW 1, Medical Officer Dr. Pranjal Borah want to emphasize the fact that prosecution intentionally failed to examine the Medical Officer who attended the injured on the fear of divulging the real fact as his evidence painted a different picture from that of the fact narrated by the victim. The Medical Officer - Dr. Pranjal Borah in his report Ext. A, stated that he examined the victim on 13-10-2016 and recorded the time of injury at 11:10 AM which clearly contradicts the evidence of PW 1 who stated that the incident in question took place at about 2 AM. If this be so, then doctor ought to have recorded the time of injury at 2 AM on 13-10-2016 instead of 11:10 AM. Therefore, it clearly belies the evidence of PW 1 and clearly probalilises a concocted story of the prosecution which cannot be relied on. However, on careful scrutiny of the evidence of the victim it appears that the discrepancy pointed out by the learned

defence counsel regarding the time of incident as recorded by D.W. 1 Dr. Pranjal Borah no way negate the prosecution case as he examined the victim on the day of incident at 5.16 PM. It may be that after the incident at night subsequent incident of quarrel may happened at day time or doctor may noted a wrong timing of the incident. It is not necessary that a witness is supposed to reproduce everything in minutest detail. A witness may sometime forget to explain all the facts in detail because of human frailty but it does not mean that prosecution case is not worthy of credence and merely because Doctor DW 1 has recorded a different time of injury this does not suggest that the prosecution case is ipso-facto false. Moreover, though, PW3 Imman Ali was declared hostile but he supported the fact of incident and timing. Therefore, the non-hostile part of evidence of PW3 can be used for corroboration with the evidence of victim and other witnesses.

25. In State of Maharashtra v. Chandraprakash Kewal Chand Jain, (1990) 1 SCC 550 the Hon'ble Supreme Court held that under

"A prosecutrix of a sex-offence cannot be put on par with an accomplice. She is in fact a victim of the crime. The Evidence Act nowhere says that her evidence cannot be accepted unless it is corroborated in material particulars. She is undoubtedly a competent witness under Section 118 and her evidence must receive the same weight as is attached to an injured in cases of physical violence. The same degree of care and caution must attach in the evaluation of her evidence as in the case of an injured complainant or witness and no more. What is necessary is that the Court must be alive to and conscious of the fact that it is dealing with the evidence of a person who is interested in the outcome of the charge levelled by her. If the Court keeps this in mind and feels satisfied that it can act on the evidence of the prosecutrix, there is no rule of law or practice incorporated in the Evidence Act similar to illustration (b) to Section 114 which requires it to look for corroboration. If for some reason the Court is hesitant to place implicit reliance on the testimony of the prosecutrix it may look for evidence which may lend assurance to her testimony short of corroboration required in the case of an accomplice. The nature of evidence required to lend assurance to the testimony of the prosecutrix must necessarily depend on the facts and circum- stances of each case. But if a prosecutrix is an

adult and of full understanding the Court is entitled to base a conviction on her evidence unless the same is shown to be infirm and not trustworthy. If the totality of the circumstances appearing on the record of the case disclose that the prosecutrix does not have a strong motive to falsely involve the person charged, the Court should ordinarily have no hesitation in accepting her evidence."

26. Coming back to the fact of the present case, from the evidence of victim PW1 supported by evidence of other prosecution witnesses it is writ large that accused made a sinister attempt to commit rape on the victim by entering into her room at 2 AM and in the process he torn her nighty and blouse but she was providentially escaped because of making timely hue and cry and other witnesses coming to her rescue. This fact has been corroborated by the evidence of PW2 mother-in-law of the victim who narrated the same story before court while recording her statement by Magistrate u/s 164 Cr.P.C. at first instance and PW10 learned Addl. Chief Judicial Magistrate Sri Kaushik Sharma confirmed recording her statement in court on 31-10-2016.

27. Section 511 IPC prescribe punishment who made attempts to commit any offence punishable under IPC. The attempt to commit an offence is always impregnated with intention. Every action of a person is usually followed with an intention. In this case, accused as deposed by PW1 (victim) entered into her room at night alone and after entering into her room he torn her nighty and blouse with a view to undress her to commit rape. Therefore, the intention of the accused that he had bad intention is writ large. In the judgment of Apex Court reported in AIR 2020 SC 219 (Chaitu Lal Vs. State of UTTARAKHAND) held in paragraph 9 as under:

"9. The attempt to commit an offence begins when the accused commences to do an act with the necessary intention. In the present case, the accused-appellant pounced upon the complainant- victim, sat upon her and lifted her petticoat while the complainant-victim protested against his advancements and wept. The evidence of the daughter (P.W.2) also reveals

that she pleaded with the accused–appellant to spare her mother. In the meantime, hearing such commotion, other villagers intervened and threatened the accused of dire consequences pursuant to which the accused ran away from the scene of occurrence. Here, the evidence of independent witness Sohan Lal (P.W.4) assumes significance in corroborating the events on the date of occurrence, wherein he has averred that at around 10:00 p.m, he heard noise coming from the house of complainant–victim, pursuant to which he saw the accused–appellants wife holding his neck coming out from the house of the complainant–victim. P.W.–4 had also overheard the complainant–victim complaining that the accused–appellant was quarreling with her.”

28. In the judgment of Lakshman Singh ...Appellant Vs. State of Bihar (now Jharkhand) ...Respondent passed in CRIMINAL APPEAL NO. 606 OF 2021 dated 23-07-2021 the Hon'ble Supreme Court while upholding the judgment of conviction u/s 147/323 IPC held in paragraph 8 as under:

"8. However, production of an injury report for the offence under Section 323 IPC is not a sine qua non for establishing the case for the offence under Section 323 IPC. Section 323 IPC is a punishable section for voluntarily causing hurt. "Hurt" is defined under Section 319 IPC. As per Section 319 IPC, whoever causes bodily pain, disease or infirmity to any person is said to cause "hurt". Therefore, even causing bodily pain can be said to be causing "hurt". Therefore, in the facts and circumstances of the case, no error has been committed by the courts below for convicting the accused under Section 323 IPC."

29. In the judgment of State of Punjab Vs. Gurmit Singh & Ors. reported in AIR 1996 SC 1393 the Hon'ble Supreme Court held as under:

"Of late, crime against women in general and rape in particular is on the increase. It is an irony that while we are celebrating women's rights in all spheres, we show little or no concern for her honour. It is a sad reflection on the attitude of indifference of the society towards the violation of human dignity of the victims of sex crimes. We must remember that a rapist not only violates the victim's privacy and personal integrity, but inevitably causes serious psychological as well as physical harm in the process. Rape is not merely a physical assault - it is often destructive of the whole personality of the victim. A murderer destroys the physical body of his victim, a rapist degrades the very

soul of the helpless female. The Courts, therefore, shoulder a great responsibility while trying an accused on charges of rape. They must deal with such cases with utmost sensitivity. The Courts should examine the broader probabilities of a case and not get swayed by minor contradictions or insignificant discrepancies in the statement of the prosecutrix, which are not of a fatal nature, to throw out an otherwise reliable prosecution case. If evidence of the prosecutrix inspires confidence, it must be relied upon without seeking corroboration of her statement in material particulars. If for some reason the Court finds it difficult to place implicit reliance on her testimony, it may look for evidence which may lend assurance to her testimony, short of corroboration required in the case of an accomplice. The testimony of the prosecutrix must be appreciated in the background of the entire case and the trial court must be alive to its responsibility and be sensitive while dealing with cases involving sexual molestations.”

30. In the case at hand, as deposed by victim (PW1) accused also caused injury on her neck as in her cross-examination the victim clearly stated that she sustained some scratch injury on her neck and shoulder but she denied that her husband had taken a loan of Rs. 10,000/- from accused long back and on that day accused had gone to her house to get back the money with interest. Even though, the injury was not proved but as per definition of section 319 IPC bodily injury is not necessary to prove the case u/s 323 IPC it is sufficient if the victim suffers pain. There is no reason to disbelieve or distrust the evidence of victim (PW1) as accused made attempt to commit rape on her at odd hours and the fact as narrated by victim has also been corroborated by her mother-in-law and other independent witnesses. This court therefore, after considering the prosecution evidence in its entirety come to unerring conclusion that accused Rejek Ali committed house trespass as he entered into the house of the informant/victim and made attempt to commit the offence of rape on victim. Therefore, the prosecution has been able to establish the case against accused Rejek Ali u/s 448/323/376/511 IPC beyond all reasonable doubt.

31. I have considered the Probation of Offenders Act. Accused in the present case is aged about 32 years and he is a full grown man, knows well about the consequences of his act. Therefore, this Court do not consider it a fit case to invoke the provision of the Probation of Offenders Act in respect of accused person.

32. In the result, accused is found guilty for the aforesaid offences u/s 448/323/376/511 IPC.

SENTENCE HEARING

33. I have heard the accused on the point of sentence as provided u/s 235(2) Cr.P.C. It is submitted that accused is 32 years old and having his wife and two minor children. He is the sole earning member of the family. In the event of his conviction his family members will suffer a lot. Therefore, accused prays to impose lesser punishment.

34. Having taken into consideration the nature and gravity of the crime and chilling effect of the such crime in the society irrespective of the fact that accused is young and his entire future is before him, this Court considered it appropriate to sentence the accused adequately to send a message to the society that criminals would not go unpunished.

35. Therefore, considering all the pros and cons, this Court is of the considered view that awarding simple imprisonment for a term of 6 months each u/s 448 and 323 IPC and rigorous imprisonment for a term of 3 (Three) years and pay a fine of Rs. 500/- for commission of offence under Section 511 read with Section 376 IPC would serve the ends of justice. In default of payment of fine accused shall be liable to undergo 3 (three) months simple imprisonment. All the sentences will, however, run concurrently.

36. The period of detention, if any, already undergone by accused during the course of investigation, enquiry or trial shall be set off against the term of imprisonment as provided u/s 428 Cr.P.C.

37. Let a copy of the judgment be furnished to accused person free of cost as provided in section 363 Cr.P.C.

38. Let a copy of the judgment be forwarded to the learned District Magistrate, Sonitpur as provided in section 365 Cr.P.C.

39. Send back the GR case to the learned committal court.

40. Judgment is pronounced and delivered in open court under digital signature of this Court on this **23rd day of August, 2021.**

(C.B.Gogoi)
Sessions Judge,
Sonitpur, Tezpur.

Dictated and Corrected by me

(C.B. Gogoi)
Sessions Judge
Sonipur, Tezpur

APPENDIX

Prosecution Witness

1.	Prosecution Witness No.1	:-	Victim "X".
2.	Prosecution Witness No.2	:-	Sahara Bibi.
3.	Prosecution Witness No.3	:	Imman Ali.
4.	Prosecution Witness No.4	:-	Ajufa Khatoon.
5.	Prosecution Witness No.5	:-	Farida Bibi.
6.	Prosecution Witness No.6	:-	Fajar Ali.
7.	Prosecution Witness No.7	:-	Kusum Ali.
8.	Prosecution Witness No.8	:-	Prassana Saharia.
9.	Prosecution Witness No.9	:-	ASI Guluk Chandra Das.
10.	Prosecution Witness No.10	:-	Addl. C.J.M. Kaushik Sharma.

EXHIBITS.

Ext. 1	:	FIR.
Ext. 1 (1)	:	Signature of the victim (PW1).
Ext. 2	:	Seizure list.
Ext. 2 (1)	:	Signature of victim (PW1).
Ext. 2 (2)	:	Signature of PW2 Sahara Bibi
Ext. 2 (3)	:	Signature of PW9 ASI Guluk Chandra Das
Ext. 3	:	Statement of Sahara Bibi u/s 164 Cr.P.C.
Ext. 3 (1) & 3 (2)	:	Signature of PW2 Sahara Bibi.
Ext. 4	:	Charge-sheet.
Ext. 4 (1)	:	Signature of PW8 Prassana Saharia.
Ext. 5	:	Sketch Map.
Ext. 5 (1)	:	Signatures of PW9 ASI Guluk Chandra Das.
Ext. 6	:	C.D. of Thelamara PS No. 105/2016.

- Ext. 6 (1) : Relevant portion of statement of witness Imman Ali.
- Ext. 6 (2) : Signature of PW9 ASI Guluk Chandra Das.
- Ext. 6 (3) : Relevant portion of statement of witness Kasum Ali
- Ext. 6 (4) : Signature of PW9 ASI Guluk Chandra Das.
- Ext. 7 : Order of CJM, dated 31-10-2016.
- Ext. 7 (1) : Signature of Addl. C.J.M. Sri Kaushik Sharma

Material Exhibits

- Material Ext. 1 : Green while colour nighty.
- Material Ext. 2 : Torn green blouse.
- Material Ext. 3 : Dao.

(C.B.Gogoi)
Sessions Judge,
Sonitpur, Tezpur