

IN THE COURT OF SUB DIVISIONAL JUDICIAL MAGISTRATE,
MORIGAON

G. R. Case No: 2109/13

Under sections 143/341/325/379 Indian Penal Code

State

Vs

1. Md. Rahimuddin

S/o Late Abul Hussain, R/o Mikirbheta, P.S. Mikirbheta, Morigaon, Assam.

2. Md. Riazuddin Ali

S/o Late Abul Hussain, R/o Mikirbheta, P.S. Mikirbheta, Morigaon, Assam.

3. Musstt. Afsura @ Apsara Begum

W/o Late Abul Hussain, R/o Mikirbheta, P.S. Mikirbheta, Morigaon, Assam.

.....Accused persons

Present: Lohit Kumar Sarmah, SDJM (S), Morigaon

Advocates appeared

For the State: Smti. Banti Devi

For the accused persons: Ms. M. Begum

Evidence recorded on: 12.4.2017, 19.3.2018, 6.10.2018, 4.5.2019, 8.7.2019 and 7.8.2019

Argument heard on: 13.9.2019, 4.11.2019

Judgment delivered on: 4.11.2019

JUDGMENT

1. The informant Md. Nur Jahan Ali had lodged an ejahar before the officer in charge of Mikirbheta PS on 1.9.2013 against Rahimuddin, Rezuan Ali, Riazuddin, Apsura Begum and Abul Hussain stating inter alia that on 31.8.2013 at about 9.30 pm while her nephews namely Iyajul Hoque and Muktaaz Ali were coming on the road, then the accused persons restrained them on the road in front of their house, cut Iyajul Hoque on various parts of his body causing grievous injury and

took Muktaaz with them inside their house. After which the accused persons snatched his mobile and purse and in order to kill Muktaaz, tied him with a rope, cut Muktaaz by dao and hit him with lathi causing him grievous injuries. Muktaaz was rescued by the police while he was being beaten by the accused persons. On hearing hue and cry when Abu Taher came then the accused Rahim Uddin bit him and strangled on his neck causing him grievous injuries. Hence the informant had filed this case.

2. The ejahar was received and registered as Mikirbhetta Police Station case No. 184/13 under sections 143/341/325/326/307/379 of the Indian Penal Code.
3. Police started investigation to trace the root of the case. The Investigating Officer after due investigation of the case submitted charge sheet under section 143/341/325/379 Indian Penal Code against all the five accused persons. **However, the case against accused Rejawar Ali was filed vide order dated 28.9.2011 and Abul Hussain was abated vide order dated 15.12.2014.**
4. The remaining accused persons appeared and entered trial. Copies of the relevant documents were furnished to the accused persons as per section 207 of the Criminal Procedure Code.
5. On perusal of the case record sufficient grounds under sections **143/341/325/379** of the Indian Penal Code were found against the accused persons **Rahimuddin, Riazuddin and Apsura Begum** and a formal charge under the said sections was framed against the accused persons and accordingly the particulars of offences under the above sections were read over and explained to the accused persons to which they pleaded not guilty and claimed to be tried.
6. The prosecution has examined eight witnesses including i.e. informant and the victims. The statements of the accused persons under section 313 of the Criminal Procedure Code was recorded. The defence side adduced no evidence and pleaded for total denial.

POINTS FOR DETERMINATION:

- i) Whether the accused persons on 31.8.2013 at about 9.30 pm, were a member of an unlawful assembly the common object of which was to cause hurt to the

- family members of the informant, and thereby committed an offence punishable under Sec. 143 of the Indian Penal Code?
- ii) Whether the accused persons on 31.8.2013 at about 9.30 pm, wrongfully restrained the relatives of the informant namely Iyajul Hoque and Muktaaz Ali by voluntarily obstructing them so as to prevent them from proceeding in any direction in which they had a right to proceed and thereby committed an offence punishable under Sec. 341 of the Indian Penal Code?
 - iii) Whether the accused persons on 31.8.2013 at about 9.30 pm, voluntarily caused grievous hurt to the nephews of the informant namely Iyajul Hoque, Muktaaz Ali and Abu Taher with blunt weapons and thereby committed an offence punishable under section 325 of the Indian Penal Code?
 - iv) Whether the accused persons on 31.8.2013 at about 9.30 pm, committed theft of a mobile and purse belonging to Muktaaz Ali from his possession and thereby committed an offence punishable under Section 379 of the Indian Penal Code?
7. I have heard the oral arguments put forward by both the Counsels. I have also gone through the entire evidence available on record. My discussion and reasons for the decision are discussed below.

DISCUSSION, DECISION AND REASONS THEREOF:

8. PW1, Nur Jahan Ali who is the informant deposed that the accused persons are known to him. The incident took place in the year 2013 when he was the secretary of the Masjid Committee. One day at around 8 pm when Muktaaz Ali came out of Nizamuddin's house then the family members of Rahimuddin caught hold of Muktaaz and then Muktaaz made hue and cry. Then the villagers went to rescue Muktaaz but the accused persons showed dao to the villagers hence Muktaaz could not be rescued. Hence the informant had filed this case. When the police rescued Muktaaz then his whole body was blood stained. Abu Taher and Iyajul Ali sustained injuries at the incident when the accused persons moved their daos. PW1 is not aware of the medical examination of the victim. Ext-1 is the ejahar and Ext-1(1) is his signature.
9. During cross-examination PW1 stated that his house is about 4/5 bighas of land away from the place of occurrence. PW1 went to the place of occurrence on being asked him to visit there by the village head. There were about 40/50

persons at the place of occurrence. Muktaaz was kept tied inside a house when PW1 was on the road. PW1 did not witness Muktaaz getting beaten up. The police conducted medical examination of the victim. PW1 is not aware when the victim was discharged. PW1 gave his statement before the police. Rahimuddin once raped a deaf and dumb girl of Abu Taher's house regarding which there had been a clash between the parties and for this the accused persons were isolated from the villagers by the head villagers. PW1 did not see that the accused persons caught hold of Muktaaz but PW1 heard the hue and cry. The rest are just some suggestions to which PW1 denied.

10. PW2, Saji Begum deposed that the informant and accused persons are known to her as her neighbors. The incident took place about 3 years prior to her deposition at about 9 pm. At that time PW2 went to have dinner in Nizamuddin's house along with his guests from Rangia. At the same time Muktaaz went to Nizamuddin's house. After that PW2 returned to his house and lied on the bed when he heard hue and cry outside. After coming out of his room he heard from public that Rahimon had beaten up Muktaaz.
11. During cross-examination PW2 stated that on coming out he did not see Rahimon and Muktaaz there.
12. PW3, Muktaaz Ali who is a victim deposed that the informant and accused persons are known to him. So far as PW3 knew, the accused persons were waiting to rob him around 4 years prior at around 8/8.30 pm on the road. The accused persons caught hold of Muktaaz, took him towards their house and the accused Rahimuddin cut with dao on Muktaaz's left elbow. After this Afsuha Begum, Riyazuddin and Rizuwan tied and beat Muktaaz and snatched away his mobile and money. Later the president of Mikirbheta village, secretary and the village head went and try to make the accused persons understand but they then tried to beat them too hence the village head called the police. The accused persons did not even listen to any villagers and tried to beat them too. Muktaaz was treated in night at the Mikirbheta government hospital. His white shirt having blood stains was seized by the police. This case was filed in the police station.
13. During cross-examination PW3 stated that his house is about 300 meters away from the house of accused persons. The houses of Raham Ali and accused persons are adjacent. On the day of incident PW3 went to the house of Raham Ali and PW3 was alone at the time of incident. The police did not inquire PW3 but they took him to the hospital. It was a dark night at the time of incident. PW3

denied the fact that he did not state before police that he was caught and taken towards the house of accused persons by them. PW3 had not seen the dao in the court that day which the accused persons used to cause him injury and the same was not seized by the police. PW3 knows the witnesses Sajiya Begum and Nur Jamal. PW3 denied to the fact that he did not state before police that later the president of Mikirbheta village, secretary and the village head went and try to make the accused persons understand but they then tried to beat them too. PW3 did not remember the date of incident. On the same day the police took PW3 for medical examination. At the time of incident around 100 nearby people came of which Bijaya, Saje etc. were present. It is not mentioned in the medical report that PW3 sustained injuries on his head. Though PW3 did MRI in Guwahati but had not submitted any medical documents with this case. It was not a fact that accused Rahimuddin did not beat him but as he went to catch Rahimuddin, he sustained injury by falling. It was not a fact that he was deposing falsely due to some grudge against the accused persons.

14. PW4, Iman Ali deposed that the informant and accused persons are known to him. Rahimuddin and few others took Muktaaz towards their house and then two sons of Abul Hussain tied Muktaaz and Rahimuddin beat him. Later the police came and arrested them. When the police seized bamboo stick, cloth, rope etc. then PW4 signed in Ext-2 seizure list vide Ext-2(1). Muktaaz was taken for medical examination.
15. During cross-examination PW4 stated that Muktaaz is his uncle's son and their house boundary is same. The house of accused persons are about 100 meters away from the house of PW4. The incident took place at around 8.30/9 pm when PW4 was sleeping at his house. On hearing hue and cry, PW4 went to the door of house and saw that Muktaaz was tied. On witnessing cutting by dao, punching etc. PW4 returned home. After about 3/4 days of the incident the police recorded his statement in the Mikirbheta PS. PW4 had not seen the articles in the Court seized vide Ext-2. It was not a fact that he deposed falsely that Rahimuddin and few others took Muktaaz towards their house and then two sons of Abul Hussain tied Muktaaz and Rahimuddin beat him.
16. PW5 Iyajul Ali who is also a victim deposed that the informant and accused persons are known to him. The incident took place about 2 years prior to his deposition at about 7 pm at Rahimuddin's house. There was some clash between the parties and Muktaaz was tied in the house. PW5 went there along with the

villagers. The villagers rescued Muktaz and handed over the accused persons to the police. PW5 did not enter into the house. The clash was continuing when PW5 tried to take away the dao from Rahimuddin then PW5 had sustained cut injury on his hand. Then PW5 went to the doctor hence did not see Muktaz.

17. During cross-examination PW5 stated that there were many persons at the place of occurrence and in extreme rush PW5 had sustained cut injury by dao on his hand. No one cut him willingly.
18. PW6, Abu Taher deposed that the informant and accused persons are known to him. The incident took place about 6/7 years prior to his deposition at night in front of Rahimuddin's house's gate. While PW6 was coming home from his mother-in-law's house then he heard some verbal altercations at the gate of Rahimuddin's house. Rahimuddin, Raizuddin and Rajuddin were beating Muktaz Ali. The villagers too gathered there. PW6 saw that the police took out Muktaz from the house when his hands were tied and his whole body was blood stained. When the police took Muktaz with them to the police station then PW6 returned to his house.
19. During cross-examination PW6 stated that he knows Nur Jahan, Safi Begum, Muktaz Ali, Iman Ali etc. who were present in the place of occurrence. The house of PW6 is about 4/5 houses away from the house of accused persons. The incident took place at around 9/9.30 pm when it was a dark night. PW6 knows Rizuwan Ali but at present he is not at home. PW6 does not know if Rizuwan's wife had filed any case against him. Nur Jahan is not his relative. It was not a fact that he had not seen the accused persons beating Muktaz. It was not a fact that he did not see tied hand of Muktaz and blood on his body.
20. PW7, Dr. Chandra Singh Deuri who is the medical officer deposed that on 31.8.2013 he was posted as Sr. M&HO in Mikirbhetta State Dispensary and on that day Dr. Pinku Bordoloi examined the victim Md. Mukles Ali aged 30 years and Md. Iyajul Ali aged 24 years in connection with Mikirbhetta Police station case no. 184/13 under section 143/341/325/326/307/379 of the Indian Penal Code escorted by Const. 156 Haren Medhi. Abu Jahan aged 42 years was examined on 1.9.2013. The Dr. Pinku Bordoloi who examined the victims had no authority to issue certificate and as such the reports were signed and issued by PW7. On examination of Abu Jahan, Pinku Bordoloi found the following findings: No visible external injuries seen. Ext-3 is the medical report of Abu Jahan and Ext-3(1) is my signature. On examination of Mukles Ali, Pinku Bordoloi found the following

findings: One lacerated wound on left elbow joint of size 2X2X1 cm. Nature of injury was simple caused by blunt weapon. Ext-4 is the medical report of Mukles Ali and Ext-4(1) is my signature. On examination of Iyajul Ali, Pinku Bordoloi found the following findings: No visible external injury seen, no sign and symptom of internal injury, mild tenderness over left hand. Nature of injury was simple and the type of weapon was blunt. Ext-5 is the medical report of Iyajul Ali and Ext-5(1) is PW7's signature. The learned defence counsel declined to cross-examine PW7.

21. PW8, Kali Charan Barman who is the investigating officer deposed that on 1.9.2013 he was working as Asstt. Sub-Inspector at Mikirbheta PS. On that day Md. Nur Jahan Ali filed an ejahar which was received and registered by the then Officer-in-Charge as Mikirbheta Police Station Case No. 184/13 under section 143/341/325/326/307/379 of the Indian Penal Code and PW8 was entrusted with the preliminary investigation of the case. He visited the place of occurrence on the same day, prepared the sketch map and recorded the statements of witnesses. The victims Md. Muktaf Ali, Aijul Ali, Abu Taher were sent to Mikirbheta Hospital for Medical Examination. He also collected the medical reports of the victims. He then arrested one accused and others were shown absconder. He seized the plastic rope which was used to tie the victim by the accused persons and one "dupatta", one bamboo stick and a white full shirt having blood stains. He handed over the case diary to the then officer-in-charge later on the charge sheet was submitted SI Lohit Kumar Bhuyan. Ext-2 is the seizure list and Ext- 2(3) is PW8's signature. Ext-6 is the sketch map. Ext-7 is the charge sheet and Ext-7(1) is the signature of Lohit Kumar Bhuyan which PW8 can recognize.
22. In cross-examination PW8 stated that he recorded the statements of complainant at police station and other witnesses at the place of occurrence. The time of occurrence is mentioned in the ejahar as 9.30 pm. The witness Nur Jahan Ali did not state before PW8 that the accused persons inflicted injury upon Taijul. The witness Muktaf Ali did not state before PW8 that Rahimuddin inflicted injury on his elbow. The witness Muktaf Ali did not state before PW8 that Rahimuddin, Afsora and Rizuwan beat him after being tied. The witness Muktaf Ali did not state before PW8 that the accused persons beat Gaonburha, President and Secretary of Mikirbheta. The witness Iyajul stated before PW8 that the incident occurred at 9.30 pm. The witness Iyajul did not state before PW8 that Iyajul

entered into the house of Muktaaz Ali. But he told that he went to save Muktaaj Ali. He did not record the statements of witnesses Abul Hussain, Karim Uddin, Raham Ali and Hasmata Ali who were shown in the sketch map. It is not a fact that the investigation was perfunctory and casual.

23. Let me first analyze the basis of the prosecution story. The incident was occurred on 31/8/13 at night and the ejahar was filed on next day immediately. Hence there is no inordinate delay in lodging the ejahar. With this note let me discuss the points for determination in the light of the evidences of the prosecution.
24. Regarding point for determination No. (ii) and (iii) and offence under section 341 and section 325 of the Indian Penal Code, the informant alleged in the ejahar that on 31.8.2013 at about 9.30 pm while her nephews namely Iyajul Hoque and Muktaaz Ali were coming on the road, then the accused persons restrained them on the road in front of their house, cut Iyajul Hoque on various parts of his body causing grievous injury and took Muktaaz with them inside their house. After which the accused persons snatched his mobile and purse and in order to kill Muktaaz, tied him with a rope, cut Muktaaz by dao and hit him with lathi causing him grievous injuries. Muktaaz was rescued by the police while he was being beaten by the accused persons. During examination as PW1, the informant reiterated that one day at around 8 pm when Muktaaz Ali came out of Nizamuddin's house then the family members of Rahimuddin caught hold of Muktaaz and then Muktaaz made hue and cry. Then the villagers went to rescue Muktaaz but the accused persons showed dao to the villagers, hence Muktaaz could not be rescued. When the police rescued Muktaaz then his whole body was blood stained. One of the victims PW3, Muktaaz Ali also corroborated the testimony of the informant and deposed that at around 8/8.30 pm on the road, the accused persons caught hold of Muktaaz, took him towards their house and the accused Rahimuddin cut with dao on Muktaaz's left elbow. After this Afsura Begum, Riyazuddin and Rizuwana tied and beat Muktaaz and snatched away his mobile and money. Muktaaz was treated in night at the Mikirbheta government hospital. His white shirt having blood stains was seized by the police. It is revealed from the medical report that the victim Muktaaz Ali was examined on 31/8/13. The medical officer during deposition as PW7 stated that on examination of Muktaaz Ali, Pinku Bordoloi found the following findings: One lacerated wound on left elbow joint of size 2X2X1 cm. Nature of injury was simple caused by blunt weapon. Ext-4 is the medical report of Mukles Ali and Ext-4(1) is his signature. Thus it is

established that the victim Muktaz Ali sustained simple injury by blunt object on 31/8/19. The evidence of other witnesses also revealed that the victim was taken to hospital on the same day for medical examination. Further the defence declined to cross examine the medical officer and as such there is nothing to disbelieve the medical report. The evidence of the doctor corroborated the testimony of the informant and the victim. PW2, Saji Begum also corroborated the allegations when she stated that hearing hue and cry outside she came out of the room and heard from public that Rahimon had beaten up Muktaz. PW4, Iman Ali also deposed that Rahimuddin and few others took Muktaz towards their house and then two sons of Abul Hussain tied Muktaz and Rahimuddin beat him. Later the police came and arrested them. When the police seized bamboo stick, cloth, rope etc. then PW4 signed in Ext-2 seizure list vide Ext-2(1). PW5 Iyazul Ali who is also one of the victims stated that there was some clash between the parties and Muktaz was tied in the Rahimuddin`s house. PW5 went there along with the villagers. The villagers rescued Muktaz and handed over the accused persons to the police. PW6, Abu Taher deposed that while PW6 was coming home from his mother-in-law`s house then he heard some verbal altercations at the gate of Rahimuddin`s house. Rahimuddin, Raizuddin and Rajuddin were beating Muktaz Ali. The villagers too gathered there. PW6 saw that the police took out Muktaz from the house when his hands were tied and his whole body was blood stained. Thus all the witnesses consistently stated that on the day of the incident the victim Muktaz Ali was restrained by the accused persons Rahimuddin and Riazuddin in front of their house and beat the victim and took him inside their house and later on police rescued the victim. As a result of beating, the victim sustained injury on his hand which was duly corroborated by the medical evidence. Police also seized vide seizure list dated 1/9/13, one rope, one dupatta, one stick one blood stained white shirt from the place of occurrence. Seizure witnesses Muktaz Ali and Iman Ali duly corroborated the seizure of the said articles. Thus there remains no doubt as to the occurrence of the offence as alleged. As the medical report suggests that the victim sustained simple injury the offence under section 325 of the Indian Penal Code is not attracted. But the offence under section 323 of the Indian Penal Code is attracted against the accused persons. The offence under section 323 of the Indian Penal Code is a minor offence of the offence under section 325 of the Indian Penal Code and as such without framing of charge afresh the accused persons can be

convicted under section 323 of the Indian Penal Code instead of the offence under section 325 of the Indian Penal Code. None of the witnesses examined by the prosecution but the victim alone stated that Afsura Begum helped to tie him. Also PW6 the eyewitness of the case did not implicate Afsura Begum in the case. PW4 Iman Ali also stated that the victim Muktaaz Ali was tied by two sons of Abul Hussain and was beaten by the accused Rahimuddin. Thus the prosecution is failed to prove the offence under section 323/341 of the Indian Penal Code against the accused Afsura Begum. However, prosecution has proved all the ingredients of the offence under section 341/323 of the Indian Penal Code against the accused persons Rahimuddin and Riazuddin. The defence during cross examination of the witnesses could not assail their credit nor can any material contradiction be brought. There is no plea of the defence except denial of the case. Rather, the defence suggested to the victim PW3, Muktaaz Ali that "It was not a fact that accused Rahimuddin did not beat him but as he went to catch Rahimuddin, he sustained injury by falling." And by such suggestion indirectly admitted that on the day of the alleged incident, there was some quarrel between the parties which was remained unexplained by the defence by adducing any evidence. Some minor contradictions regarding the time of the occurrence were extracted by the defence but this court believes that by passing of the time, those contradictions are quite natural and cannot assail the credit of the witnesses. PW5, Iyazul Ali who is also a victim deposed that the clash was continuing when PW5 tried to take away the dao from Rahimuddin then PW5 had sustained cut injury on his hand. The medical report of the victim Iyazul also suggested that he sustained simple injury by blunt object. But during cross-examination PW5 stated that there were many persons at the place of occurrence and in extreme rush PW5 had sustained cut injury by dao on his hand. No one cut him willingly. Thus PW5 is not willing to implicate any of the accused for the hurt sustained by him. Thus the offences under section 341/323 of the Indian Penal Code are established by the prosecution beyond reasonable doubt against the accused persons Rahimuddin and Riazuddin.

25. Therefore the points for determination No. (ii) and (iii) are decided in positive and against the accused persons.
26. Regarding the point for determination No. (i) and the offence under section 143 of the Indian Penal Code although the informant, in the ejahar, alleged that five accused persons committed the offence as alleged, but none of the witnesses

implicated the accused Abul Hussain in the case and as such the offence under section 143 of the Indian Penal Code is not attracted being the number of accused persons less than five. Hence, prosecution is failed to prove the offence under section 143 of the Indian Penal Code beyond reasonable doubt.

27. Therefore the point for determination No. (i) is decided in negative and in favour of the accused persons.

28. Regarding the point for determination No. (iv) and the offence under section 379 of the Indian Penal Code, the informant alleged in the ejahar that after which the accused persons snatched his mobile and purse and in order to kill Muktaaz, tied him with a rope, cut Muktaaz by dao and hit him with lathi causing him grievous injuries. However during deposition as PW1, the informant did not state anything regarding theft of any article by the accused persons. Further the victim Muktaaz Ali during deposition as PW3 did not depose anything regarding theft of any article owned by him by the accused persons. Hence the provision of section 379 of the Indian Penal Code is not attracted against the accused persons. Prosecution is failed to prove any of the ingredients of the offence under section 379 of the Indian Penal Code against the accused person.

29. Therefore the point for determination No. (iv) is decided in negative and in favour of the accused persons.

30. **Decision:**

From the above discussion, it is held that prosecution is failed to prove the offence under section 143/341/325/379 of the Indian Penal Code against the accused Afsura @ Apsara Begum and as such the accused is acquitted of all the charges against her and she is set at her own liberty.

Prosecution is failed to prove the offence under section 143/325/379 of the Indian Penal Code against the accused persons Rahimuddin and Riazuddin beyond reasonable doubt and as such they are acquitted of the said charges.

Prosecution has proved the offences under section 341/323 of the Indian Penal Code against the accused persons Rahimuddin and Riazuddin beyond reasonable doubt and as such the accused persons are convicted accordingly.

31. **Hearing on sentence:**

The convicted persons are heard on point of sentence that can be imposed upon them under section 341/323 of the Indian Penal Code. The convicts stated that they are the first offenders and are poor persons pleaded for leniency. In view of the facts and circumstances of the case and upon hearing the convicts and the

nature of the offence committed, I deem it not proper to extend the benefit of probation to the convicted persons but the convicts may be treated leniently.

Order

32. In the aforesaid premises, it is held that From the above discussion, it is held that prosecution is failed to prove the offence under section 143/341/323/379 of the Indian Penal Code against the accused Afsura @ Apsara Begum and as such the accused is acquitted of all the charges against her and she is set at her own liberty.

Prosecution is failed to prove the offence under section 143/325/379 of the Indian Penal Code against the accused persons Rahimuddin and Riazuddin beyond reasonable doubt and as such they are acquitted of the said charges.

Prosecution has proved the offences under section 341/323 of the Indian Penal Code against the accused persons Rahimuddin and Riazuddin beyond reasonable doubt and as such the accused persons are convicted accordingly. The each of the convicts are sentenced to undergo imprisonment for a period of 4 months for the offence under section 323 of the Indian Penal Code and also each of them is sentenced to pay a fine of Rs. 500/- for the offence under section 341 of the Indian Penal Code and in default of payment of fine to undergo rigorous imprisonment for a period of 15 days.

33. Bail bonds and affidavits furnished by the bailor are extended for a period of six months from today.

34. The seized articles shall be destroyed in due course of law.

35. Let a copy of the judgement be given to the accused free of cost.

36. The case is disposed of on contest.

Given under my hand and seal of this Court on the 4th day of November, 2019 at Morigaon.

Lohit Kumar Sarmah
SDJM(S), Morigaon

APPENDIX

Prosecution witnesses:

- PW1- Md. Nur Jahan Ali (Informant)
- PW2- Musstt. Saji Begum
- PW3- Md. Muktaaz Ali (Victim)
- PW4- Md. Iman Ali
- PW5- Md. Yajul Ali
- PW6- Md. Abu Taher
- PW7- Dr. Chandra Singh Deuri (M.O.)
- PW8- Kali Charan Barman (I.O.)

Exhibits for the prosecution:

- Ext-1: Ejahar.
- Ext-2: Seizure list
- Ext-3: Medical report of Abu Jahan.
- Ext-4: Medical Report of Muktaaz Ali.
- Ext-5: Medical report of Iyajul Ali.
- Ext-6: Sketch map.
- Ext-7: Charge Sheet.

Defence witness :

Nil.

Exhibits for defence:

Nil.

Lohit Kumar Sarmah
SDJM(S), Morigaon