

**IN THE COURT OF THE CHIEF JUDICIAL MAGISTRATE,  
LAKHIMPUR, NORTH LAKHIMPUR, ASSAM**

Present: Shri Narayan Kuri, AJS,  
Chief Judicial Magistrate,  
Lakhimpur, North Lakhimpur, Assam

**G.R. 881/2016**

U/s 341/323 IPC

**State of Assam**

**-Vs-**

**1. Sri Nilotpal Saikia alias Nipu**

S/O: Sri Naren Saikia

R/O: Na-Ali Majgaon

P/S: Boginadi

District: Lakhimpur, Assam

**2. Sri Gagan Borgohain**

S/O: Sri Khirod Borgohain

R/O: Na-Ali Majgaon

P/S: Boginadi

District: Lakhimpur, Assam

**3. Sri Jayanta Konwar alias Tutu**

S/O: Sri Naba Konwar

R/O: Na-Ali Majgaon

P/S: Boginadi

District: Lakhimpur, Assam

.....Accused persons

Date of offence explanation	: 03.08.2016
Dates of recording evidence	: 05.11.2016, 05.04.2017, 27.10.2017, 24.04.2018, 12.10.2018, 24.01.2019 09.04.2019, 18.04.2018
Date of statement recorded u/s 313 Cr.P.C	: 03.05.2019
Date of argument	: 16.05.2019
Date of judgment	: <b><u>28.05.2019</u></b>

**Advocates appeared in the case:-**

Sri Prasanta Dutta, Addl. P.P., for the State

Sri Rajib Gogoi, Advocate, for the accused persons

**J U D G M E N T**

1. Prosecution case in brief is that an ejahar was lodged on 17.04.2016 by one Sri Jagan Horo with the Officer-in-Charge, Boginadi Police Station wherein it has alleged that at about 6:00 PM on 15.04.2016, accused persons Sri Tarun Gogoi, Sri Bubukon Borgohain, Sri Gagan Borgohain, Sri Nipu Gogoi, Sri Rupam Borgohain, Sri Pulak Tamuli, Sri Prasanta Lahon, Sri Tutu Konwar, Sri Kolia Konwar, Sri Makush Kullu and Sri Bikash Saikia, without any reason, assaulted Sri Jayanta Horo, aged 18 years, son of informant Sri Jagan Horo, by restraining him in a lonely place. All the accused persons by forming a group assaulted Sri Jayanta Horo by giving kicks and fist blows as well as by hitting with stone for which he became unconscious and thereafter, the accused persons dragged Sri Jayanta Horo in front of shop of accused Tarun Gogoi and left him there in naked condition. The victim was given medical treatment at Saboti Hospital in critical condition. Hence, the case.

2. After receiving the FIR, the Officer-in-Charge of Boginadi Police Station registered a case vide Boginadi Police Station Case No. 60/2016 under section 147/148/149/341/325/500 of the Indian Penal Code. The investigation in this case was carried out and after the completion of investigation, the investigating officer submitted charge-sheet under section 341/323/34 of the Indian Penal Code against accused persons Sri Tarun Gogoi, Sri Gagan Borgohain, Sri Nipu Saikia and Sri Jayanta Konwar alias Tutu to stand trial in the Court.

3. On receipt of the charge-sheet, cognizance of the offence under section 341/323/34 of the Indian Penal Code was taken as per section 190(1)(b) Code of Criminal Procedure. After the appearance of the accused persons before the Court, copies were furnished to them as per section 207 Code of Criminal Procedure. The particulars of the offence u/s 341/323 IPC were explained to the accused persons to which they pleaded not guilty and claimed to face the trial.

**Points for determination**

4. The points which are required to be determined for a just decision of this case are as follows:

(a) Whether the accused persons, at about 6:00 PM, on 15.04.2016, at village Na Ali Majgaon, under Boginadi Police Station, in furtherance of their common intention, wrongfully restrained Sri Jayanta Horo, and thereby committed an offence punishable u/s 341 IPC ?

(b) Whether the accused persons, at about 6:00 PM, on 15.04.2016, at village Na Ali Majgaon, under Boginadi Police Station, in furtherance of their common intention, voluntarily caused hurt to Sri Jayanta Horo, and thereby committed an offence punishable u/s 323 IPC ?

5. It is pertinent to mention here that during the course of trial accused Tarun Gogoi died on 28.12.2018 and as such after receiving a petition no. 2991/19 filed by learned Defence Counsel annexed with a death certificate bearing no. 0074653 dated 18.01.2019 issued by Badhakara MPHC, Lakhimpur and hearing both the sides the instant case against accused Tarun Gogoi stands abated because of his death.

6. During the trial the Prosecution side could examine 6 (six) witnesses, namely, Sri Jagan Horo (PW-1), Sri Jayanta Horo (PW-2), Smti. Joymoti Horo (PW-3), Sri Nagen Gogoi (PW-4), Sri Pitush Horo (PW-5), Sri Lila Gogoi (PW-6), Dr. Jugananda Bori (PW-7), Sri Jugeswar Manki (PW-8), ASI Bolindra Baruah (PW-9) and exhibited 4 (four) documents (Shown in the Annexure appended below). The defence side has cross-examined prosecution witnesses. After the closure of the prosecution witnesses all the incriminating materials surfaced thereon against the accused persons were put to their explanation under section 313 Code of Criminal Procedure. The defence plea was in complete denial. I have heard the Argument of both sides and thereupon come to the following finding:

**Discussion, decision and reasons thereof:**

7. Before appreciating the evidence, let me have the resume' of the testimonies of the witnesses making short shrift by touching upon the relevant facts. But let me at the very outset start with the evidence of the Medical Officer.

8. PW-7 Dr. Jugananda Bori, Medical Officer, has stated that on 15.04.2016, he was working as Medical and Health Officer-I at North-Lakhimpur Civil Hospital. On that day, at 10:10 PM, he had examined Sri Jayanta Horo, son of Jagan Horo, resident of village Na-Ali, P.O. Charaimuria, P.S. Boginadi, District Lakhimpur in the Emergency Department of North Lakhimpur Civil Hospital on being identified and escorted by Jagan Horo (father). On examination, he found the following injures: 1. Swelling upper lip (part of the body- face) and that injury was inflicted by blunt object and was fresh in nature; 2. Multiple bruise present in the body. The patient was admitted in surgery ward. He kept his opinion reserved for surgeon. The patient was advised for C.T. Scan of brain. Ext-2 is the injury certificate, Ext-2(1) is his signature with seal. In his cross-examination, he has stated that no history of injury was stated before him. There was no police escort with the patient. He could not say for what time duration the injury remains fresh. In Ext-2 he had mentioned 'fresh' without knowing the time duration. The patient was in conscious state. According to him such injuries may also be caused by falling.

9. PW-2 Sri Jayanta Horo, victim, has stated that on the day of occurrence he came out from his house and while he was standing on the road, an old person going on the road by riding bicycle scolded him as to why he had been standing on the road. Thereafter, the accused persons along with some other persons came and chased him for about a kilometer and apprehended him at Simaludanga and physically assaulted him as a result of which he became unconscious. On the following morning he regained his senses and found himself at Chaboti Hospital. He saw his parents after regaining his senses at Hospital. He

was informed by them that he at first had been brought from the road to their house and therefrom to the hospital by 108 ambulance. He sustained injuries on his lower back, face and body. In his cross-examination, he has admitted to have a quarrel with an old person, who was going by the road and had threatened to cut that old man with the Kotari (knife) he was holding in his hand. He asserted that during Bihu festival the inhabitants of tea garden consume 'hariya' (a type of liquor). He has further clarified that there were about 14 (fourteen) persons including the accused persons who had assailed him. According to him, he had regained his senses after staying in the hospital for a night.

10. PW-3 Smti. Joymoti Horo is the aunt of victim and according to her deposition on the day of occurrence while she was in her house, she saw that a quarrel had been going on between Jayanta Horo and Tarun Gogoi on the road. Thereafter, Tarun Gogoi and other about 12(twelve) number of persons chased Jayanta Horo. They chased Jayanta Horo far away outside their village and thereafter they physically assaulted Jayanta Horo and brought him and threw him in the courtyard of Tarun Gogoi. The house of Tarun Gogoi is near her house. She went there and saw Jayanta Horo wearing only underwear and lying on the courtyard of Tarun Gogoi with profuse bleeding in different parts of body. Thereafter, Jayanta Horo went crawling to his house whereupon his parents took him to Chaboti Medical by calling 108 Ambulance. In his cross-examination, she has stated that she knows that Jayanta Horo consumes 'hariya'. She does not know who assaulted Jayanta Horo after being chased away by Tarun Gogoi and 12 other persons.

11. PW-5 Sri Pitush Horo is an eye-witness to the occurrence who has deposed that at about 8:00/9:00 AM on the day of the occurrence an altercation had taken place between the accused Tarun Gogoi and the informant's son Jayanta Horo. He heard that at the time of altercation Jayanta Horo had 'dao' in his hand and accused Tarun Gogoi had a 'lathi' in his hand. The altercation ended but at about 6:30 PM in

the evening on that day while he was coming by the road of Simoludanga, he saw that as many as nine persons were assaulting Jayanta Horo. There were five 'nonglas' (bamboo sticks) in the hands of five of those persons and the rest of the persons had stones in their hands. He saw that they assaulted Jayanta Horo beside the road near 'kabarsthan' and threw him in the 'pathar' (paddy field). He identified accused Gagan Borgohain, as one amongst those nine persons by his wearing white T-shirt that he had worn on the day of giving deposition. He has also asserted that the absentee accused Tutu Konwar was also present among those nine persons. He knows the remaining seven persons but he does not know their names. Later, two of those boys picked up the victim Jayanta Horo from the 'pathar' and brought him to the house of accused Tarun Gogoi by a motorcycle. Thereafter, the victim was taken to Chaboti Hospital by 108 vehicle. The victim was in the hospital for medical treatment for more than a week. He knows that the victim sustained injuries on his body, head and face and there was bleeding also from his injuries.

12. During cross-examination PW-5 Pitush Horo has admitted in evidence to have not told the police that he saw five bamboo sticks and stones in the hands of four persons; that the occurrence took place near the burial ground; that about 8 or 9 AM on the day of the occurrence there was an altercation between accused Tarun Gogoi and victim Jayanta Horo; that two of the assailants of Jayanta Horo had brought him from the paddy field to the house of accused Tarun Gogoi (deceased).

13. PW-8 Sri Jugeswar Manki is another eye-witness to the occurrence. According to him the occurrence had taken place at about 6:00 PM, on 17.04.2016, on the road of Simoludonga village in front of the 'Koborsthan' which is near to his house. At that point of time he was inside the house and upon hearing a hue and cry he went to the place of occurrence and saw that the accused persons were assaulting Jayanta Horo by slapping him by giving fist blows. He saw that mouth of Jayanta Horo had been bleeding. After assaulting Jayanta Horo, the

accused persons brought him in front of the house of accused Tarun Gogoi and dumped him near the grocery shop of Tarun Gogoi and thereupon, the accused persons went away from there. The parents of Jayanta Horo took him to their house. Jayanta Horo become unconscious because of being assaulted by the accused persons. He called 108 ambulance by making a phone-call and thereupon injured Jayanta Horo was taken to Saboti Hospital by 108 ambulance. Jayanta Horo underwent medical treatment in Saboti Hospital for about two weeks. In his cross-examination, he has stated that victim Jayanta Horo is his nephew. PW-8 answering to Court question has stated that accused Tarun Gogoi died due to cardiac arrest a few months back.

14. PW-1 Sri Jagan Horo, informant, has averred in evidence that on the day of the occurrence the accused persons assaulted his son Jayanta Horo by chasing him from near his house. At that time he was present in his house and on being informed by his younger son Bitu Horo about the occurrence, he came out and saw that the accused persons had severely assaulted his son who was in unconscious state and was only wearing vests. Immediately he called 108 ambulance and took his son to Chaboti Hospital and after two days of the occurrence he lodged an ejahar at the police station. Ext-1 is the ejahar, Ext-1(1) is his signature. In his cross-examination, he has stated that the accused persons assaulted his son about one kilometer away from his house. He went to the place of occurrence after about half an hour of the occurrence but on reaching the place of occurrence, he did not find his son Jayanta Horo present out there. He clarified to have not known how to read the ejahar as it was not written down by him although the same was read over to him. He could not say what is written in the ejahar. His son was unconscious for 8 days while undergoing medical treatment at hospital. He admitted that while going to hospital they have to cross Boginadi Police Station. He did not inform the police regarding delay in lodging of the ejahar. The occurrence took place during Bihu and on these occassion the 'Adhivashi' people consumes 'hariya' (a type of liquor). He had seen the accused persons committing the occurrence of 'maar-pit' (physical fighting). At the time of

occurrence Nagen Gogoi, Lila Gogoi, Bikash Saikia, Bubukon Borgohain, Rupam Borgohain and Palash Tamuli were present.

15. In his deposition PW-4 Sri Nagen Gogoi has stated to have heard that informant's son Jayanta Horo had tried to cut/slash the father of the accused Gagan Borgohain after consuming liquor and thereafter somebody assaulted Jayanta Horo. In his cross-examination, he has clarified that the occurrence had taken place on the occasion of Bihu. He also knows that Jayanta Horo consumes liquor and on the day of occurrence also Jayanta Horo had consumed liquor. He had not stated before the police that the son of the informant tried to cut/slash the father of accused Gagan Borgohain. He asserted to have no known as to who assaulted the son of the informant.

16. PW-6 Sri Lila Gogoi has averred in evidence that the occurrence had taken place about 10:00/11:00 AM when he was in School. After returning from the school, he saw police personnel at the courtyard of Jagan Horo (PW-1) when he came to know from the police that Jayanta Horo, the son of the informant, was moving around with a 'dao' in his hand and the public chased him. Later on, he came to know that Jayanta Horo was admitted in North-Lakhimpur Civil Hospital and was availing medical treatment. He went to the said hospital to see victim Jagan Horo who informed him that the public had assaulted him physically after chasing him. He saw a swelling on his face. In his cross-examination, he has clarified that Jayanta Horo did not tell him the name of his assailants. Jayanta Horo was properly talking to him during his visit to hospital. He has asserted that the occurrence took place during 'Bihu' when normally, the people of Adhivashi community consumes liquor. Jayanta Horo and his father also consumed liquor during that time. He has averred a possibility that Jayanta Horo might have sustained injury by falling in an intoxicated condition after having consumed liquor.

17. PW-9 ASI Bolindra Baruah, Investigating Officer, has stated that during investigation he examined informant Sri Jagan Horo along with

other three witnesses and recorded their statements at the police station and as per version of the informant his son i.e. the injured Jayanta Horo had already been admitted at North Lakhimpur Civil Hospital. Accordingly, he also visited the place of occurrence and inspected the same and prepared a sketch map of the place of occurrence. He also recorded the statements of the witnesses found at and around the place of occurrence. He also visited North Lakhimpur Civil Hospital and examined the injured Jayanta Horo and recorded his statement and collected the medical report of the victim Jayanta Horo from North Lakhimpur Civil Hospital. Thereafter, on completion of the preliminary investigation he submitted the Case Diary to the O/C SI Borjen Kalita. Thereafter, SI Borjen Kalita submitted charge sheet against accused persons Sri Tarun Gogoi, Sri Gagan Borgohain, Sri Nipu Saikia and Sri Tutu alias Jayanta Konwar, u/s 341/323/34 of the IPC. In his cross-examination, he has stated that victim Jayanta Horo did not tell him that the accused persons along with some other persons had chased him for around one kilometer and at Simaldanga assaulted him for which he lost his consciousness. Similarly PW-3 Jamoti Horo did not tell him that accused Tarun Gogoi and 12 others chased victim Jayanta and assaulted him and threw him on the courtyard of accused Tarun Gogoi and that he saw Jayanta lying in the courtyard of accused Tarun Gogoi in underwear. According to him Pitush Horo did not tell him who assaulted Jayanta. Further witness Jugeswar Manki also did not tell him that he saw the accused persons slapping and giving fist blow to victim Jayanta and tossed him in front of grocery shop of accused Tarun Gogoi in an unconscious state.

#### **APPRECIATION OF EVIDENCE**

18. The evidence of Medical Officer i.e. PW-7 is reflexive of the fact that at about 10.10 PM on 15.4.2016 Jayanta Horo (victim) had injuries in his upper lip and multiple bruise in the body. The injuries were fresh in nature and caused by blunt weapon as is reflected in Ext.2 Injury Certificate. Now let me cogitate upon the fact as to how and who had caused those injuries to victim Jayanta Horo.

19. From the assertion of victim Jayanta Horo (PW-2) it has reflected that at the time of the occurrence he had a brawl with an old man and had threatened to cut that old man with a knife that he was holding whereupon the accused persons along with some other persons had chased him and after catching him at Simaldanga had assaulted him severely as a result he lost his consciousness and regained the same in hospital.

20. The evidence of PW-3 Jaymoti Horo, PW-5 Pitush Horo and PW-8 Jugeswar Manki reveals that they were the eye-witness to the occurrence. According to PW-3 Jaymoti Horo she saw that a quarrel had been going on between Jayanta Horo and Tarun Gogoi on the road and thereafter Tarun Gogoi and other about 12(twelve) number of persons chased Jayanta Horo upto outside the village and brought victim back in injured state and threw him in the courtyard of accused Tarun Gogoi. But she has stated to have not seen who had assaulted victim. PW-5 Pitush Horo saw as many as nine persons including accused Gagan Borgohain and Tutu Konwar had been assaulting victim Jayanta Horo on the road at Simuldanga and thereafter brought him to the house of accused Tarun Gogoi. Thus, PW-5 Pitush Horo has supported the version of Jaymoti Horo (PW-3) that victim was thrown in the homestead of accused Tarun Gogoi after being assaulted. PW-8 Jugeswar Manki also saw accused persons assaulting Jayanta Horo by slapping and fist-blows on the road at Simuldanga. He has also subscribed the fact that after assaulting victim Jayanta he was thrown in the homestead of accused Tarun Gogoi.

21. Thus eye-witness PW-3 Jaymati Horo had seen accused Tarun Gogoi and nine others chasing Jayanta Horo and after some time later brought him and threw him on the courtyard of Tarun Gogoi in injured state. She did not see the actual occurrence of beating but this vacuum has been supplemented by other two eye-witness namely PW-5 Pitush Horo and PW-8 Jugeswar Manki who have clearly mentioned that the accused persons along with some other persons had assaulted victim Jayanta Horo. All the accused persons are known to these eye-

witnesses being inhabitant of the same village as such question of identification of these accused does not arise.

22. As regards the cause of the assault, PW-4 Nagen Gogoi has stated to have heard that victim Jayanta Horo had tried to cut/ slash the father of accused Gagan Borgohai after consuming liquor and thereafter somebody assaulted him. PW-5 Pitush Horo has stated that at about 8 or 9 AM on the day of the occurrence an altercation took place between accused Tarun Gogoi and victim Jayanta Horo and at 6.30 PM the assault took place. PW-6 Lila Gogoi came to know from police itself that victim Jayanta had been moving around the road holding a dao and thereafter public chased him and physically assaulted him. He also went to meet Jayanta in the hospital but the latter did not tell him the names of his assailants. But he confirms the fact that accused consumed liquor during Bihu occasion i.e. when the occurrence took place. The version of PW-6 Lila Gogoi that victim Jayanta had been moving around with a dao in his hand has the been supported by none other than victim Jayanta himself, as he admitted to have brawl with an old man whom he threatened to cut. The identity of that old man has been revealed by PW-4 Nagen Gogoi as the father of accused Gagan Borgohain. But nowhere in the evidence the defence has taken the plea that victim had a brawl with the father of accused Gagan Borgohain. Moreover, as per the version of PW-5 Pitush Horo there was an altercation between accused Tarun Gogoi and victim Jayanta Horo on the morning of the day of the occurrence and that the assault took place in the evening. It means there was a wide time-gap between these two occurrences. Further, if I go by the version of victim that he had an altercation with an old man whom he threatened to cut, and accept the fact that that old man was father of accused Gagan Borgohain still arise a fact as to whether accused Gagan Borgohain can exercise right to private defence. In the instant case from the evidence it has revealed that victim had not indulged in any kind of physical assault with the old man and that the old man also safely went away from that place, and as such the accused persons should not have chased the victim and if at all they had a genuine grievance against

him, they could have handed over the victim to police after being apprehended instead of beating him. It has revealed from evidence that victim was single and accused and their companions are in good numbers, and as such the act of the accused persons do not get justified in the eyes of law.

23. It has impeccably proved in evidence that the accused persons along with their companions had chased the victim and assaulted him on the road at Simaludanga, and as such it is immaterial which accused used how much force while beating victim, given the fact that the evidence has established that all the accused persons had jointly done the criminal act. In the instant case the accused persons are facing the trial on the accusation under section 341/323 IPC. But where a criminal act is jointly done by several persons who are actuated by a common intention in furtherance of that intention, each of them is liable for it as if the whole of it had been done by him alone. Section 34 IPC being not a substantive offence as such non-framing of a specific charge under this section is not at all fatal for the prosecution case nor it is a gross irregularity which can vitiate the proceeding.

24. So, from the evidence it has established that the accused persons had chased victim Jayanta Horo and caught him on the road at Simaludonga and thereupon the offence under section 341 IPC stands proved against accused persons and accordingly they stands convicted under section 341 of the IPC. Further, from the eye-witness account as well as of victim's account it has been proved that the accused persons had voluntarily caused hurt to victim Jayanta and as such offence under section 323 IPC also stands proved against the accused persons and accordingly they are convicted under section 323 IPC. In consequence both the points are answered in affirmative in favour of the prosecution.

**DISCUSSION ON RELEASE OF CONVICTS ON PROBATION:**

25. Convicted persons assaulted victim Jayanta Horo when he was alone. Victim was chased by the convicts for a distance of about one

kilometer and thereafter assaulted him and tossed on the compound of deceased accused Tarun Gogoi's house in half naked state. Considering the nature and gravity of the offence, I am of the reasonable opinion that granting of probation to the victim for such a grave act would send a wrong message to the society at large. Hence, I am inclined not to give the benefit of probation to them under section 4 of the Probation of Offender's Act, 1958.

**SENTENCE HEARING:**

26. Convicts Nilutpal Saikia, Jayanta Konwar and Gagan Borgohain are heard on the point of sentence. Convict Nilutpal Saikia and Jayanta Konwar alias Tutu are the sole breadwinner of their family while convict Gagan Borgohain is a student of B.Tech. So, they ask for forgiveness from the case reiterating their innocence in this case.

27. I have extended anxious consideration on the grounds on which they beg leniency in their sentence and also heard Ld. Addl. P.P. as well as Ld. Defence Counsel. Considering the gravity of the offence and other factual circumstances regarding the offence as well as the socio-economic and family background of the convicts, I hereby order the following sentence for the convicts.

**ORDER**

28. In view of the above discussion, I hereby convict Nilotpal Saikia, Jayanta Saikia alias Tutu and Gagan Borgohain under section 341/323/34 of the Indian Penal Code. They are sentenced under section 341/34 of the Indian Penal Code to undergo simple imprisonment for 1(one) month and to pay fine of Rs. 500/- (Rupees five hundred only) each, in default of payment of fine they shall suffer simple imprisonment for a further period of 7(seven) days. They are also sentenced under section 323/34 of the Indian Penal Code to undergo rigorous imprisonment for a period of 3(three) months and to pay a fine of Rs. 1,000/- (Rupees one thousand only) each and in default of payment of fine they shall suffer rigorous imprisonment for a further

period of 15 (fifteen) days. Both the sentences shall run concurrently. The period of detention already undergone by the convicts shall be set off. The amount of fine, if so realised, from the convicts shall be paid in full to Victim Sri Jayanta Horo as compensation under section 357 Cr.P.C.

29. The convicts be taken into custody at once.

30. Furnish a copy of the judgment free of cost to convicts Nilotpal Saikia, Jayanta Konwar and Gagan Borgohain.

31. The judgment is delivered and operative part of the same is pronounced in the open court, today on this 28<sup>th</sup> day of May, 2019 under the hand and seal of this court.

**(Shri Narayan Kuri)**  
Chief Judicial Magistrate,  
Lakhimpur, North Lakhimpur

Dictated & corrected by me-

**(Shri Narayan Kuri)**  
Chief Judicial Magistrate,  
Lakhimpur, North Lakhimpur

Transcribed & types by-  
Sri Narayan Chetri, Stenographer

Contd. .... Appendix

**A P P E N D I X**

**WITNESSES FROM THE PROSECUTION SIDE**

Sri Jagan Horo (PW-1)  
Sri Jayanta Horo (PW-2)  
Smti. Joymoti Horo (PW-3)  
Sri Nagen Gogoi (PW-4)  
Sri Pitush Horo (PW-5)  
Sri Lila Gogoi (PW-6)  
Dr. Jugananda Bori (PW-7)  
Sri Jugeswar Manki (PW-8)  
ASI Bolindra Baruah (PW-9)

**PROSECUTION EXHIBIT**

Ejhar (Ext-1)  
Injury certificate (Ext-2)  
Sketch map (Ext-3)  
Charge-sheet (Ext-4)

**WITNESSES FROM THE DEFENCE SIDE**

Nil

**DEFENCE EXHIBIT**

Nil

**(Shri Narayan Kuri)**  
Chief Judicial Magistrate,  
Lakhimpur, North Lakhimpur