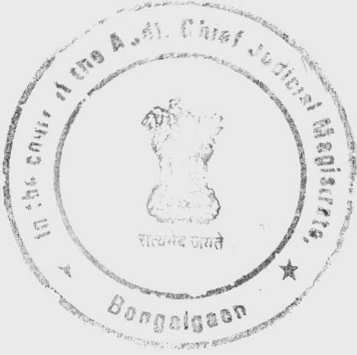


IN THE COURT OF ADDITIONAL CHIEF JUDICIAL  
MAGISTRATE, BONGAIGAON.



G.R NO: 845/11

STATE

Vs

Sri Dulal Brahma and 1 others...accused

Charged u/s: 341/323/34I.P.C.

Present: Mrs M.De

Addl C.J.M. Bongaigaon.

Counsel for prosecution: ....A.P.P


Counsel for defence : Sri M.Wary

.....Advocate

Date of recording evidence: 3.4.13

Date of argument : 3.4.13

Date of judgment : 3.4.13

  
Addl C.J.M.  
Bongaigaon

JUDGMENT



1. The prosecution case in brief is that an ejahar has been lodged by the complainant that on the relevant day accused persons wrongfully restrained him and thereafter assaulted him..Hence,this case.Police registered a case and started investigation.

2. On completion of investigation police submitted c/s and sent the accused to court to face trial.Thereafter,accused appeared before the court to face trial.On their appearance,necessary copies were furnished to the accused and particulars of offences u/s 341/323/34 I.P.C were explained to the accused to which they pleaded not guilty and claimed to be tried.Prosecution examined as many as 1 PWs ..Arguments of both sides heard

### 3. POINTS FOR DETERMINATION:

- 1) Whether the accused had in furtherance of their common intention wrongfully restrained the complainant and committed offence u/s 341/34 I.P.C.as alleged ?
- 2) Whether the accused in furtherance of their common intention voluntarily caused hurt to the complainant u/s 323/34 I.P.C. as alleged?

### 4. DECISION AND REASONS FOR THE DECISION:

Prosecution examined as many as 1 PWs.I have gone through the entire evidence on record.

5 The Pw1 that is the complainant Sri Deepak Brahma deposed that out of minor verbal wrangle and grudge this case was filed against the accused persons and that on the relevant day nothing as such happened and that the accused had not done anything.

6. The prosecution examined as many as 1 PWs.

I have gone through the entire evidence on record. From the evidence on record it appears that the Pws have not implicated the accused persons.Hence a cloud of doubt arises regarding the actual veracity of the occurrence.Moreover,the Pws evidence doesnt corroborate the ejahar and

*AB*  
Addl C.J.M.  
Bongaigaon

