

IN THE COURT OF ASSTT. SESSIONS JUDGE ::::::::::: BONGAIGAON.

Sessions Case No.27(J)/2013.

State

Vs.

Md Somesh Uddin--Accused

U/s 366 A IPC.

Present:- Sri S. Das.
Asstt. Sessions Judge,
Bongaigaon.

Appearance:- Mrs. C. Choudhury, Additional
Public Prosecutor for the State.

Mr L. Rahman , Advocate
for the accused.

Date of evidence : 2.4.13, 11.4.2013

Date of argument : 11.4.2013.

Date of judgment : 12.4.2013

J U D G M E N T A N D O R D E R

Brief facts --

1. Prosecution case in brief is that on 15.9.12 the complainant Sibur Barman lodged written ejahar with Jogighopa police station alleging inter-alia that on 8.9.12 at about 10 A.M his daughter Swapna Barman, aged about 16 years went missing from his house. On 11.9.2012 he informed concerned police station regarding missing of his daughter. He also alleged in the ejahar that on enquiry he came to know that the accused Somesh Uddin kidnapped his daughter and kept confined her in some unknown place. on receipt of the ejahar Police registered a case and started investigation and on completion of investigation police submitted charge sheet against the accused U/S 366A IPC. The case came up before

Contd....

Sri S. Das
Asstt. Sessions Judge,
Bongaigaon.

(2)

learned Judicial Magistrate who after furnishing copy committed the case to the Hon'ble Sessions Judge, Bongaigaon and thereafter, the Hon'ble Sessions Judge, Bongaigaon transferred the case to this court for trial. This court on appearance of the accused and on consideration of the materials on record and after hearing both sides framed charge against the accused Somesh Uddin U/S 366A IPC which was read over and explained to the accused to which he pleaded not guilty.

2. Prosecution in order to prove its case examined 5 witnesses in all. Defence case was of total denial adduced no evidence whatsoever.

3. *Points for determination -*

(1) Whether on 8.9.2013 at about 10 A.M. accused induced Smt Swapna Barman aged about 16 ½ years to go from her house with intent that she may be or knowing it likely that she will be forced to illicit intercourse with another person and thereby committed an offence U/S 366 A IPC ?

4. I have gone through the evidence on record and heard argument of both sides.

Decision and reasons thereof

5. Discussion of evidence

PW 2 is the complainant. His evidence is that the occurrence took place about 1 ½ years back. On the date of occurrence his daughter went missing from his house. He went on to search for his daughter but could not find her. Thereupon, he lodged the complaint in the police station. Later on, he came to know that his daughter had gone to the

Contd.....

12/4/2013
Asstt Sessions Judge,
Bongaigaon.

