

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

Sessions Case No. 58(BGN)/2012.

U/S 376 IPC

State

Vs.

Jabed Ali Accused.

**PRESENT : Smt. M. Nandi,
Sessions Judge,
Bongaigaon.**

*ADVOCATES APPEARED : Sri A. K. Nath, Public Prosecutor
for the State.*

*Sri J. Islam, Advocate
for the accused.*

Date of Argument : 22.05.2013.

Date of Judgment : 05.06.2013.

56.
SESSIONS JUDGE
BONGAIGAON

JUDGMENT AND ORDER

1. The informant Miss Nazria Khatun lodged an ejahar before the O/C, Bijni Police Station stating inter alia that about 8 months back she was accompanied by the accused Jabed Ali to his house. At about 8 PM when she came out from the room for nature's call, the accused dragged her towards the jungle and threatened her, gagged her mouth with a piece of cloth and committed rape on her by using force. On the next day morning, she came home. Due to such physical relationship, she became pregnant and about 6 days back, she gave birth to a child. Though a village meeting was called in their village, but as the accused did not appear before the meeting, the meeting was not held.

2. On receipt of the ejahar, a case was registered and after completion of investigation, Final Report was submitted by the Investigating Officer. Victim was examined by learned CJM, Bongaigaon in the view of accepting F.R. At that time, the victim stated that she has no objection if Final Report submitted by the I.O. is accepted. But learned CJM, Bongaigaon on perusal of the case diary finding prima facie case against the accused Jabed

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