

## **NAGALAND JUDICIAL SERVICE GR-I (PAPER-I)**

Duration : **3 Hours**  
Total Marks: **100 Marks**

1. Write essays on any two of the following topics : **2x20marks =40marks**
- (i) Mediation – its importance and relevance.
  - (ii) Reporting of Court proceedings by media and the administration of justice.
  - (iii) Right to Education.

2. Read the following passage and answer the questions that follow the passage:  
**7x1 mark = 7 marks**

Ocean water plays an indispensable role in supporting life. The great ocean basins hold about 300 million cubic miles of water. From this vast amount, about 80,000 cubic miles of water are sucked into the atmosphere each year by evaporation and returned by precipitation and drainage to the ocean. More than 24,000 cubic miles of rain descend annually upon the continents. This vast amount is required to replenish the lakes and streams, springs and water tables on which all flora and fauna are dependent. Thus, the hydrosphere permits organic existence.

The hydrosphere has strange characteristics because water has properties unlike those of any other liquid. One anomaly is that water upon freezing expands by about 9 percent, whereas most liquids contract on cooling. For this reason, ice floats on water bodies instead of sinking to the bottom. If the ice sank, the hydrosphere would soon be frozen solidly, except for a thin layer of surface melt water during the summer season. Thus, all aquatic life would be destroyed and the interchange of warm and cold currents, which moderates climate, would be notably absent.

Another outstanding characteristic of water is that water has a heat capacity which is the highest of all liquids and solids except ammonia. This characteristic enables the oceans to absorb and store vast quantities of heat, thereby often preventing climatic extremes. In addition, water dissolves more substances than any other liquid. It is this characteristic which helps make oceans a great storehouse for minerals which have been washed down from the continents. In several areas of the world these minerals are being commercially exploited. Solar evaporation of salt is widely practiced, potash is extracted from the Dead Sea, and magnesium is produced from sea water along the American Gulf Coast.

- (i) The author's main purpose in this passage is to
- (A) describe the properties and uses of water.
  - (B) illustrate the importance of conserving water.
  - (C) explain how water is used in commerce and industry.
  - (D) reveal the extent of the earth's ocean masses.
  - (E) compare water with other liquids.
- (ii) According to the passage, fish can survive in the oceans because
- (A) they do not need oxygen.
  - (B) ice floats.
  - (C) evaporation and condensation create a water cycle.
  - (D) there are currents in the oceans.
  - (E) water absorbs heat.
- (iii) Which of the following characteristics of water does the author mention in the passage ?
- I. water expands when it is frozen.
  - II. water is a good solvent.
  - III. water can absorb heat.
- (A) I only    (B) II only    (C) I & II only    (D) II & III only  
(E) I, II & III
- (iv) According to the passage, the hydrosphere is NOT
- (A) responsible for all forms of life.
  - (B) able to modify weather.
  - (C) a source of natural resources.
  - (D) in danger of freezing over.
  - (E) the part of the earth covered by water.
- (v) The author's tone in the passage can be best described as
- (A) dogmatic            (B) dispassionate            (C) speculative
  - (D) biased            (E) hortatory
- (vi) The author organizes the passage by
- (A) comparison and contrast.
  - (B) juxtaposition of true and untrue ideas.
  - (C) general statements followed by examples.
  - (D) hypothesis and proof.
  - (E) definition of key terms.

- (vii) Which of the following statements would be most likely to begin the paragraph immediately following the passage ?
- (A) Water has the ability to erode the land.
  - (B) Magnesium is widely used in metallurgical processes.
  - (C) Let us consider the great land masses.
  - (D) Another remarkable property of ice is its strength.
  - (E) Droughts and flooding are two types of disasters associated with water.

3. Read the following passage and answer the questions that follow the passage:  
**3x1marks = 3 marks**

An essay which appeals chiefly to the intellect is Francis Bacon's "Of Studies". His careful tripartite division of studies expressed succinctly in aphoristic prose demands the complete attention of the mind of the reader. He considers studies as they should be : for pleasure, for self-improvement, for business. He considers the evils of excess study : laziness, affectation, and preciosity. Bacon divides books into three categories : those to be read in part, those to be read cursorily, and those to be read with care. Studies should include reading, which gives depth; speaking, which adds readiness of thought; and writing, which trains in preciseness. Somewhat mistakenly, the author ascribes certain virtues to individual fields of study : wisdom to history, wit to poetry, subtlety to mathematics, and depth to natural philosophy. Bacon's four-hundred-word essay, studded with Latin phrases and highly compressed in thought, has intellectual appeal indeed.

- (i) Which of the following is the most appropriate title for the passage, based on its content ?
- (A) Francis Bacon and the Appeal of the Essay
  - (B) "Of Studies" : A Tripartite Division
  - (C) An Intellectual Exercise : Francis Bacon's "Of Studies"
  - (D) The Categorization of Books According to Bacon
  - (E) A Method of Reading Books
- (ii) Which of the following words could best be substituted for "aphoristic" without substantially changing the author's meaning ?
- (A) abstruse            (B) pithy            (C) tripartite
  - (D) proverbial        (E) realistic
- (iii) The passage suggests that the author would be most likely to agree with which of the following statements ?
- (A) "Of Studies" belongs in the category of works that demand

to be read with care.

- (B) Scholars' personalities are shaped by the academic discipline in which they are engaged.
- (C) It is an affectation to use foreign words in one's writing.
- (D) An author can be more persuasive in along work than in a shorter one.
- (E) Studies should be undertaken without thought of personal gain.

4. In each of the following questions, a word printed in capital letters precedes five lettered words or phrases. From these five lettered words or phrases, pick the one most nearly opposite in meaning to the capitalized word.

**5x1mark = 5 marks**

(i) AFFABLE :

- (A) rude      (B) generous      (C) needy
- (D) useless    (E) conscious

(ii) BIZARRE :

- (A) roomy      (B) abstemious      (C) veiled
- (D) triumphant      (E) normal

(iii) DIATRIBE :

- (A) mass      (B) range      (C) eulogy
- (D) elegy      (E) starvation

(iv) LACONIC :

- (A) milky      (B) verbose      (C) wicked
- (D) flagrant    (E) derelict

(v) PRODIGAL :

- (A) large      (B) thrifty      (C) consistent
- (D) compatible      (E) remote

5. In each of the following questions, a word printed in capital letters precedes five lettered words or phrases. From these five lettered words or phrases, pick the one most nearly similar in meaning to the capitalized word.

**5x1mark = 5 marks**

(i) COPIOUS :

- (A) plentiful      (B) cheating      (C) dishonourable
- (D) adventurous      (E) inspired

(ii) GARRULOUS :

- (A) arid (B) hasty (C) sociable  
(D) quaint (E) talkative

(iii) PHLEGMATIC :

- (A) calm (B) cryptic (C) practical  
(D) fantastic (E) dishonest

(iv) TENUOUS :

- (A) vital (B) thin (C) careful  
(D) dangerous (E) necessary

(v) WINSOME :

- (A) victorious (B) gracious (C) married  
(D) permanent (E) pained

6. Below each sentence are five words or sets of words. For each blank pick the word or sets of words that best reflects the overall meaning of the sentence.

**5x1mark = 5 marks**

(i) Studded starfish are well protected from most \_\_\_\_\_ and parasites by \_\_\_\_\_ surface whose studs are actually modified spines.

- (A) dangers .... a vulnerable  
(B) predators ..... an armored  
(C) threats ..... a fragile  
(D) challenges ..... an obtuse  
(E) exigencies ..... a brittle

(ii) As \_\_\_\_\_ head of the organization, he attended social functions and civic meetings but had no \_\_\_\_\_ in the formulation of company policy.

- (A) titular ..... voice  
(B) hypothetical .... vote  
(C) former ..... pride  
(D) nominal ..... competition  
(E) actual ..... say

(iii) His listeners enjoyed his \_\_\_\_\_ wit but his victims often \_\_\_\_\_ at its satire.

- (A) lugubrious ..... suffered

- (B) caustic ..... laughed
- (C) kindly ..... smarted
- (D) subtle ..... smiled
- (E) trenchant ..... winced

(iv) She is a pragmatist, as \_\_\_\_\_ to base her future on impractical dreams as she would be to build a castle on shifting sand.

- (A) determined
- (B) disinclined
- (C) quick
- (D) apt
- (E) diligent

(v) Alec Guinness has few equals among English speaking actors, and in his autobiography he reveals himself to be an uncommonly \_\_\_\_\_ prose stylist as well.

- (A) ambivalent
- (B) infamous
- (C) supercilious
- (D) felicitous
- (E) pedestrian

7. Correct the following sentences :

**5x1mark = 5 marks**

- (A) I never have, and never will, do such a thing.
- (B) Indu is very amused at your behaviour.
- (C) I would rather die than suffering such a disgrace.
- (D) I, You and he should attend the meeting.
- (E) No sooner did Ram reach the bus stop the bus started.

8. Fill up the blanks with words expressing appropriate comparisons.

**5x1mark = 5 marks**

- (i) As busy as a \_\_\_\_\_.
- (ii) As pale as a \_\_\_\_\_.
- (iii) As quick as \_\_\_\_\_.
- (iv) As silent as the \_\_\_\_\_.
- (v) As gentle as a \_\_\_\_\_.

9. Substitute the following by one word.

**5x1 mark = 5 marks**

- (i) A morbid fear of confined spaces.
- (ii) Incapable of being effaced.

- (iii) One who knows several languages.
- (iv) That which is quite harmless.
- (v) One who has exaggerated anxiety about one's health.

10. Answer the following : **5x1 mark = 5 marks**

- (i) In a code, every letter of the alphabet is replaced by some other letter. What will be the code for the name Ram Kumar ?
- (A) Ten Ronet                      (B) Len Finol                      (C) Pen Sinet  
(D) Elephant

- (ii) Find the number that logically completes the series.

2, 3, 5, 9, 17, .....

- (iii) A zookeeper was asked to count the number of birds and animals in a zoo. He counted thirty heads and a hundred feet. Find the number of birds and the number of animals in the zoo.

- (iv) Insert the missing number :

196	(25)	324
329	(?)	137

- (v) Insert the missing number :

?	8
39	13
24	18

11. Answer the following : **15x1 mark = 15 marks**

- (i) Which Article of the Constitution of India provides power to the Parliament to amend the Constitution ?

(A) 360                      (B) 368  
(C) 372                      (D) 392

- (ii) 12<sup>th</sup> March, 1930 is well known in the history of India because this date is associated with -

(A) Dandi March by Mahatma Gandhi  
(B) Quit India Movement  
(C) Partition of Bengal  
(D) Non-cooperation Movement

- (iii) Who was called the “Iron man of India” ?  
(A) Sardar Vallabhbhai Patel  
(B) Surendra Nath Banerjee  
(C) Lala Lajpat Rai  
(D) Bipin Chandra Paul
- (iv) Who was known as the “Frontier Gandhi” ?  
(A) Khan Abdul Ghaffar Khan  
(B) Mahatma Gandhi  
(C) Shaukat Ali  
(D) Mahammad Ali Jinnah
- (v) Which following state of India has rich forests of sandalwood?  
(A) Andhra Pradesh (B) Karnataka  
(C) Kerala (D) Madhya Pradesh
- (vi) Neapanagar in Madhya Pradesh is known for –  
(A) Steel mills (B) Sugar Mills  
(C) News print factory (d) None of the above
- (vii) The line demarcating the boundary between India and China in North-Eastern Sector is called –  
(A) Radcliffe line (B) Durand line  
(C) McMahon line (D) Siegfried line
- (viii) Sushil Kumar, who is the first Indian to win two individual Olympic medals, won a Silver Medal in the 2012 London Olympics in which of the following events ?  
(A) Archery (B) 66 Kg Freestyle wrestling  
(C) 60 Kg Freestyle wrestling (D) 10 m Air Rifle event
- (ix) Find the odd one out from the following :  
(A) Pascal (B) Newton  
(C) Cobol (D) Basic
- (x) Which one of the following pairs is not correctly matched ?  
(A) James Watt : Steam engine  
(B) A.G. Bell : Telephone  
(C) J.L. Baird : Television  
(D) J. Perkins : Penicillin

- (xi) Roland Garros is associated with –  
(A) Badminton (B) Football  
(C) Tennis (D) Rowing
- (xii) Deodhar Trophy is given in the game of –  
(A) Cricket (B) Football  
(C) Hockey (D) Badminton
- (xiii) Who won the 2012 Nobel Prize for literature ?  
(A) Serge Haroche (B) Shinya Yamanaka  
(C) Mo Yan (D) Alvin Roth
- (xiv) In the London Olympics 2012, which country won highest number of gold medals ?  
(A) China (B) USA  
(C) Russia (D) Great Britain
- (xv) Battle of Kohima during the World War II began on –  
(A) 6<sup>th</sup> of April, 1938 (B) 4<sup>th</sup> of April, 1940  
(C) 4<sup>th</sup> of October, 1942 (D) 4<sup>th</sup> of April, 1944

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DATE : - 27-01-2013.

**Main Written Examination (2013)**  
**For Direct Recruitment to Grade-I of Nagaland Judicial Service**

Time – 3 hours  
Total Marks – 100

**Paper-II**

I. **Group-A (Each question carries 1 mark) (20 x 1 = 20)**

**Answer the following in one word (Yes / No or Correct / Incorrect)**

1. Is the evidence of a hostile witness totally inadmissible in trial?
2. A, a client, says to B, an attorney ---- “I have committed forgery, and I wish you to defend me”.  
Is this communication protected from disclosure?
3. Whether arbitrator is a Court?
4. Whether a caricature is a document?
5. A, who is a citizen of India, commits murder in France. He was found in Nagaland. Can he be tried and convicted of murder in Nagaland?
6. A, who is six years of age, picks up a knife and stabs a guest sleeping in the house. Whether A has committed any offence?
7. Whether attempting to exercise undue influence at an election is an offence under the Indian Penal Code?
8. Whether confessional statement is recorded under section 164 Cr.P.C. ?
9. Can a criminal Court alter or add to any charge after arguments are concluded?
10. Whether dismissal of a complaint for default under section 256 Cr.P.C. would amount to acquittal of the accused ?
11. Whether the offence under section 498-A IPC is compoundable ?

12. In the course of a criminal trial, it appears from the evidence tendered that A, who is not an accused, is also involved in the offence charged. Can he be made an accused in the case at that stage ?
13. Whether an aggrieved party can file a second revision petition under section 397 Cr.P.C. after his first revision petition was earlier dismissed ?
14. Can the delay in filing a civil suit be condoned if the plaintiff satisfies the Court that he had sufficient cause for not filing the suit within time ?
15. Whether standing timber is included in immovable property ?
16. Whether a company is included in the definition of "living person" under the Transfer of Property Act, 1882 ?
17. Can there be a gift of future property ?
18. The right to private defence is not available to an accused who is found to be an aggressor.
19. In the absence of a plea in the written statement, a court trying a suit is not entitled to go into the question of limitation at the appellate stage.
20. Result of the test identification parade conducted during investigation of an offence of robbery, is a substantial piece of evidence.

**II. Group-B (Each question carries 2 marks) (10 x 2 = 20)**

**Answer very briefly, in one or two sentences.**

1. When there is variation between medical and ocular evidence, which one is to get primacy ?
2. A desires a Court to give judgment that B shall be punished for committing a crime which according to A, B has committed. On whom does the burden of proof lie ?

3. A is charged by the ticket checker with travelling on the train without a ticket. On whom does the burden of proof lie ?
4. Whether a photograph of an original is primary evidence or secondary evidence ?
5. Whether admission of a document amounts to admission of content or admission of truth ?
6. Whether evidence can be recorded by video conferencing ? Is it permissible ?
7. What is / are the condition(s) precedent for a person to apply for anticipatory bail ?
8. What is the limitation period for filing a suit seeking compensation for libel and from which period will the limitation begin to run ?
9. A suit is dismissed for default. What is the limitation period for filing an application for restoration ?
10. Can a civil suit be instituted by a minor in his name ?

**III. Group-C (Each question carries 3 marks)**

**(10 x 3 = 30)**

**Answer briefly**

1. What is a leading question ? When and under what circumstances can such questions be asked ?
2. What is estoppel ? What is the provision under the Indian Evidence Act, 1872 which deals with estoppel ?
3. A is accused of murdering B. At his trial, what facts may be in issue ?
4. Whether confessional statement made by an accused before police admissible in evidence and can conviction be based on such evidence?

5. What is the difference between kidnapping and abduction ?
6. Under what circumstances can extortion amount to robbery ?
7. Under what circumstances sexual intercourse by a man with his own wife would amount to a criminal offence ?
8. What should the Court do when a subsequent suit is instituted where the parties are the same, involving the same subject matter and the same question as in an earlier suit between the same parties, which is pending ?
9. When a suit is sought to be instituted against the State Government without serving notice under section 80 of the Civil Procedure Code, 1908 and the plaintiff expresses urgency, what should the Court do ?
10. If a petition is filed by the defendant contending that the plaint does not disclose a cause of action, what should the Court do? What is the legal provision dealing with such a situation ?

IV. Group-D (Each question carries 4 marks) (5 x 4 = 20)

**Answer any five**

1. What is the difference between section 304 Part-I IPC and section 304 Part-II IPC ?
2. When a person, against whom a warrant has been issued by a Court, is absconding, what procedure is required to be followed by the Court?
3. What is the difference between evidence given by an accused in a trial as a defence witness and his examination under section 313 Cr.P.C. ?
4. What is the difference between 'simple mortgage' and 'mortgage by conditional sale' ?

5. What are the four different modes of settlement of disputes outside the Court as provided under section 89 of the Civil Procedure Code, 1908 ?
6. Distinguish between the following with reference to relevant provisions of law :-  
  
(A) Preliminary decree and final decree.  
or  
(B) Fine and compensation.
7. What are the basic principles or ingredients of granting temporary injunction ? Can an injunction order be passed without notice to the opposite party ? If so, when ?

V. **Group-E** ( 2 x 5 = 10 )

Write brief notes on any two of the following :-

1. "Role of Public Prosecutor"
2. "Cause of action".
3. "Substantial question of law".
4. Difference between "revision" and "review" under the Civil Procedure Code, 1908 ?

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MAIN EXAMINATION (2013) FOR DIRECT RECRUITMENT TO GRADE-I OF  
NAGALAND JUDICIAL SERVICE

PAPER- III

TIME :- 3 HOURS  
TOTAL MARKS:- 100

CONSTITUTIONAL LAW

Answer any five questions (6x5=30 Marks)

1. Discuss the Constitutional provision of the President of India. Can he withhold a legislative bill passed by both the houses of Parliament?
2. (a) Differentiate between Article 32 and 226 of the Constitution in its applicability.  
(b) Explain the various jurisdictions of the Supreme Court of India.
3. What do you understand by proclamation of Emergency? Describe the different kinds of Emergency and its effects.
4. The places of worship of a minority community are attacked throughout a State. The Central Government gave detailed directions and urged the State to take effective action. The Chief Minister of the State wants your advice as to whether the Central Government has power to give such directions and what may happen if the directions are not implemented.
5. What are the provisions in the Constitution of India which secure the independence and impartiality of the judiciary? Is really the judiciary independent in India?
6. Article 21-A of the Constitution of India imposes burden on State to provide free and compulsory education, while Article 51-A places burden entirely on parents. Explain as to which one shall prevail and can be enforced in a court of law. Give reasons with reference to selected authorities.
7. "Pardoning power of the President is not immune from judicial review". Examine the statement with the relevant case-law.
8. Point out the contingencies under which the President may promulgate Ordinances. Discuss the limitation on this power.

P.T.O.

## JURISPRUDENCE

**Answer any two questions**

5x2 =10 Marks

9. Write short notes on any two of the following –
- i) Historical school
  - ii) Natural Law
  - iii) Stare decisis
  - iv) Corporation sole
10. (a) What are the requisites of a valid custom.
- (b) The custom of child marriage and dowry persisted in India for long and still continues as custom. Can these customs be enforced in a Court? Give reasons for your answer.
11. Answer any two of the following :-
- (a) What do you understand by 'personal' and 'real' property?
  - (b) State the definition of legal duty.
  - (c) What is the distinction between custom and convention?
  - (d) Are animals legal persons? Give reasons.
  - (e) What are the modes of acquiring property?

## JUDGEMENT WRITING

12. Write a judgment:-

60 Marks ( Paper Book enclosed)

# PAPER BOOK

Seen  
Sd/- Illegible  
12.1.06  
I/c Addl. Judicial Magistrate  
Dibrugarh

## FIRST INFORMATION REPORT

(Under Section 154 Cr.P.C.)

GR No.57/06

1. Dist – Dibrugarh, P.S. – Tingkhong, Year 2006  
FIR NO.04/06 date 10-1-06
2. (i) Act..... IPC ..... Sections U/S 325 IPC  
(ii) Act ..... Sections ..... Addl Sec 302 IPC  
(iii) Act ..... Sections .....  
(iv) Other Acts & Sections .....
3. a) General Diary Reference Entry No. 191  
..... Time 10-1-2006 at 8.15 AM .....  
b) Occurrence of offence : Day ... Monday date 09-1-06  
Time .... 8 AM  
c) Information received date 10-1-06 ... Time at 8.15 AM  
GD No. .... at the police station
4. Type of information ..... Written
5. Place of occurrence : No.2 Padumoni Gaon, Konwari Gaon  
a) Direction and distance from P.S. ... 5 K.M. North  
b) Address .... NO.2 Padumoni Gaon P.S. Tingkhong  
Beat No. ....
6. Complainant/Informant  
a) Name – Sri Dharmeswar Gogoi  
b) Father's name – Late Bhakat Ram Gogoi  
c) Date/year of Birth - ... 1961 .... 45 yrs  
d) Nationality ... Indian  
e) Passport No. .... Date of issue ..... Place of issue .....  
f) Occupation ..... cultivator  
g) Address – Konwari Gaon, Padumoni Vill, P.S. Tingkhong, Dist- Dibrugarh
7. Details of known/suspected/unknown accused with full particulars  
1) Sri Sunil Gogoi, S/o- Sri Lilbor Gogoi of No.2 Padumoni, Konwari Gaon
8. Reasons for delay in reporting by the complainant/informant.....
9. Particulars of properties stolen/involved (attach separate sheet if necessary) ...  
.....
10. \*Total value of properties stolen/involved .....
11. \*Inquest Report/UD Case No., if any .....
12. FIR contents (attach separate sheets, if required) :

The written ejahar received at P.S. treated as FIR and enclosed.

13. Action taken : Since the above report reveals commission of offence (s) u/s as mentioned at item No.2, registered the case and took up the investigation/directed ASI Bhuban Bhuyan to take up P/S step of the case to take up the investigation/transferred to P.S ..... on point of jurisdiction FIR to the complainant/informant admitted to be correctly recorded and a copy given to the complainant/informant free of cost.

Signature of Officer-In-Charge  
Police Station with

RTI of Shri Dharmeswar Gogoi

14. Signature/thumb impression of  
The complainant/informant

\*Name : Nobin Borborah S.I.  
Rank .....  
Officer-In-Charge  
Sd/- illegible  
Tingkhong Police Station  
Dist- Dibrugarh  
10-01-06

Ext. 1  
Sd/- illegible  
26-9-06

Seen  
Sd/- illegible  
12-1-06  
Seal  
Dibrugarh

**EJAHAR**

To,

The Officer-in-charge  
Tingkhong Police Station, Tingkhong  
Dated 10-01-06  
Subject : Ejahar

Sir,

Humble submission is that around 8 a.m. on 9-1-06 my elder brother Sri Lilbor Gogoi (aged 65 years) was sitting by fire at the gateway of his house. Just about that time, his son Sri Sunil Gogoi dealt a blow upon his head with a split wood as a result of which, he fell down on the ground unconscious. At present the injured is in Naharani Health centre under treatment.

I, therefore, request you to take necessary steps in this regard and oblige.

Ext.1(1)  
Sd/- illegible  
26-9-06

Yours faithfully,  
Sd/- Sri Dharmeswar Gogoi  
Son of Late Bhakatram Gogoi  
Resident of No.2 Padumoni Gaon  
Kuwarigaon P.S. Tingkhong  
Dibrugarh

Written as per the dictation of the complainant and when admitted correct upon being read over to him, I put my signature here.

Scribe : Krishna Deka  
10-01-06

Received and registered Tingkhong P.S. C/No.04/06 U/S 325 I.P.C. A.S.I. Bhuvan Bhuyan has taken up pre step of the case.

Sd/- Nobin BOrborah S.I.  
Officer-in-charge  
Tingkhong P.S.  
Dist – Dibrugarh  
10-1-06

**CHARGE WITH ONE HEAD**  
(No.XXVIII(I) Schedule V, Act V, 1838)

(Sections 221, 222, 223 Code of Criminal Procedure)

Sri A Alam  
Addl. Sessions Judge (FTC), Dibrugarh

Hereby charge you Sri Sunil Gogoi

As follows :

That you on or about the 9-1-2006 at about 8 a.m. in front of the house of Sri Lilbor Gogoi you had committed his murder by intentionally causing the death.

And thereby committed an offence punishable under section 302 of the Indian Penal Code within the cognizance of the Court of Sessions.

And I hereby direct that you be tried by the said court on said charges.

The charge framed read over an explained to the accused; to which he pleaded not guilty and claimed to be tried.

Dated this 5<sup>th</sup> day of Sept 06

Sd/- illegible  
Addl Sessions Judge (FTC)  
Dibrugarh  
5-9-06

**IN THE COURT OF CHIEF JUDICIAL MAGISTRATE  
DIBRUGARH**

**G.R. CASE NO.57/06**

**STATE**

**-VS-**

**Sri Sunil Gogoi**

**COMMITMENT OIRDER**

Dated : 8-8-06

Accused Sunil Gogoi is produced from jail hazot. Copy is ready the same is furnished.

The offence alleged of is exclusively triable by the court of Sessions. Therefore, the case is committed to the court of Sessions with an intimation to the learned PP. The accused shall be produced before the court of Sessions on 10-8-06.

Sd/- illegible  
CJM, DBR

**FORM FOR RECORDING DEPOSITION**

Deposition of **P.W. 1**

Present : Shri A. Alam  
Addl. Sessions Judge (FTC)  
Dibrugarh

My name is Sri Dharmeswar Gogoi  
Son of Lt. Bhakatram Gogoi  
My age is 45 years, I reside at Tingkhong  
District – Dibrugarh, Police Station Tingkhong  
Occupation – cultivator

On S/A

I know the accused Sunil Gogoi. He is my nephew. The deceased is the father of the accused.

The incident took place in the month of January. On that day at about 7 p.m. Lilbon Gogoi was enjoying the heat of fire and at that time Sunil striked Lilbon who fell down and was taken to Hospital. The next day he died.

I filed the FIR. Ext.1 is my FIR. Ext.1(1) is my signature. Ext.2 is the inquest report. Ext.2(1) is my signature.

XXXXXXXXXXXXXXXXX cross XXXXXXXXXXXXXXXX

I have not seen the incident. There was no quarrel or enmity with his father. He had suffered the mental disorder. There is no previous incident of his attacking anyone.

Sd/- illegible

R.O.&A.C.  
Sd/- illegible  
26-9-06

**FORM FOR RECORDING DEPOSITION**

Deposition of **P.W. 2**

Present : Shri A. Alam  
Addl. Sessions Judge (FTC)  
Dibrugarh

My name is Smti Deepali Gogoi

wife of Sri Pranab Gogoi

My age is 27 years, I reside at Dadumoni Kuwanigaon

District – Dibrugarh, Police Station Tingkhong

Occupation – House wife

On S/A

The accused is my husband's elder brother, 'Borjona'. The deceased was my father in law. It was in the month of January. I was inside and hearing cry of my daughter Priyanka went outside. I saw my father in law was lying on the ground senseless. My daughter was only near to my father in law at that time. We brought him inside. There is no Priyanka. Thereafter the injured was taken to hospital. Priyanka told me that Sunil had struck his on his head from behind. He was brought home from hospital and at home he died.

XXXXXXXXXXXXXXXXX cross XXXXXXXXXXXXXXXX

On my arrival I found my daughter Priyanka none else were there at the P.O. He had suffered from mental disorder. He damaged his house too. He also chased some persons while going through Road. He killed one cow and a pig also. His wife left him due to his torture.

Sd/- illegible

R.O.&A.C.  
Sd/- illegible  
26-9-06

**FORM FOR RECORDING DEPOSITION**

Deposition of **P.W. 3**

Present : Shri A. Alam  
Addl. Sessions Judge (FTC)  
Dibrugarh

My name is Sri Pranab Gogoi  
Son of Lt. Lilibor Gogoi  
My age is 27 years, I reside at 2No.Dadumoni  
District – ....., Police Station Tingkhong  
Occupation – cultivator

On S/A

The accused is my elder brother. The deceased was my father. It was in the month of January 2006. He was enjoying the heat of fire. I was not at home, went for work. I was informed that father was beaten by Sunil. I found my father in injured condition, injury was in the neck, we took him home and later alongwith Pradip Gogoi took him to Naharani hospital for treatment. After one day at hospital we took him back home, the Doctor stated that there was no scope for recovery. He died at night.

XXXXXXXXXXXXXXXXX cross XXXXXXXXXXXXXXXX

The accused suffered for mental disorder. When his wife left him, thereafter, he was not found to be completes normal. We showed him to some village 'Bez'. He resided separates.

Sd/- illegible

R.O.&A.C.  
Sd/- illegible  
26-9-06

**FORM FOR RECORDING DEPOSITION**

Deposition of **P.W. 4**

Present : Shri A. Alam  
Addl. Sessions Judge (FTC)  
Dibrugarh

My name is Sri Bipul Gogoi  
Son of L. Kuladhar Gogoi  
My age is 27 years, I reside at Dadumoni  
District – ....., Police Station Tingkhong  
Occupation – cultivator

On S/A

I know the accused. The deceased was my uncle. I heard about the incident. I came. On my arrival I found the injured lying on the road. He was taken inside. Reach to doctor I found him senseless. Priyanka told that Sunil had striked him.

XXXXXXXXXXXXXXXXX cross XXXXXXXXXXXXXXXX

NIL

Sd/- illegible

R.O.&A.C.  
Sd/- illegible  
26-9-06

**FORM FOR RECORDING DEPOSITION**

Deposition of **P.W. 5**

Present : Shri A. Alam  
Addl. Sessions Judge (FTC)  
Dibrugarh

My name is Smti Priyanka Gogoi  
Son/Wife/Daughter of Sri Pranab Gogoi  
My age is 11 years, I reside at Padumani Konwar Gaon  
District – Dibrugarh, Police Station Tingkhong  
Occupation – student

The witness, as stated by herself is below the age of 12 years and as such, no Oath or Affirmation could be given to her. However, she has been tested by putting the following questions-

1. Q. Do you go to school ?

Ans.- Yes, I go to school.

2. Q. What Class do you read in ?

Ans.- I read in Class VI.

3. Q. Do know the name of your school?

Ans.- Yes, the name of our school is Konwarigaon Higher Secondary School.

4. Q. How many students are there in your Class ?

Ans.- There are 49 students in our Class.

5. Q. Who is the Headmaster of your School ?

Ans.- Sri Kamala Gogoi

6. Q. With whom have you come to the court ?

Ans.- I have come to the court along with my father & mother.

**OBSERVATION**

After putting these questions and considering the fluency and clarity of her answers, it is found that she will be able to narrate the facts within her knowledge. Hence, I proceed to record her evidence :-

**EVIDENCE**

The name of my grand-father was Lilbor Gogoi. I was with him in front of our homestead. I had put up a fire and both were enjoying the heat of the fire. At that time, Sunil Gogoi hit on the backside of the head of Lilbor Gogoi and on the impact, the grand-father fell down on the ground. (the witness has pointed the portion of the neck just below the head). I then cried for my mother.

My mother rushed to the P.O. and called my father, and my father also arrived. Thereafter, the grand-father was lifted inside our house. Thereafter, he was taken to medical for treatment. On the next day of the incident, the grand-father succumbed to the injuries. After hitting my grand-father, the accused fled away from the place. The accused hit by a piece of bamboo. It was in the morning and my grand-father was hit thrice at the same place. I have only this much to state. Nobody has tutored me to state what I have stated today.

XXXXXXXXXXXXXXXXX cross XXXXXXXXXXXXXXXX

I may not state to the I/O about hitting thrice by the accused. It is not a fact that I stated to the I/O that the accused had inflicted the injuries by a split piece of firewood. The accused killed one pig by a lathi and he has also damaged his own house. He has some mental disorder and as such, sometimes goes off his head.

Sd/- illegible

R.O.&A.C.  
Sd/- illegible  
26-9-06  
Addl Sessions Judge (FTC)  
Dibrugarh

**FORM FOR RECORDING DEPOSITION**

Deposition of **P.W. 6**

Present : Shri A. Alam  
Addl. Sessions Judge (FTC)  
Dibrugarh

My name is Sri Bhadreswar Gogoi  
Son of Bapiram Gogoi  
My age is 43 years, I reside at Kuwarigaon  
District – Dibrugarh, Police Station Tingkhong  
Occupation – Business

On S/A

I know the accused. I heard about the incident and so went there. On my arrival police took my signature on the Inquest report. Ext.2(2) is my signature.

XXXXXXXXXXXXXXXXX cross XXXXXXXXXXXXXXXX

I did not notice any injury as I did not minutes observe the dead body.

Sd/- illegible

R.O.&A.C.  
Sd/- illegible  
26-9

**FORM FOR RECORDING DEPOSITION**

Deposition of **P.W. 7**

You are taken oath or solemn affirmation on this 1.12.06 .... Of Sri D.C. Chetia Phukan,  
Addl. Dist & Sess Judge, FTC, DBR

My name is Sri Dr Rupak Kumar Gogoi  
Son of Sri Harghadhar Gogoi  
My age is 39 years, I reside at Udaypur Dibrugarh  
Occupation – Asstt Professor, A.M.C. Dibrugarh

On S/A

On 13.1.06 I have done post mortem of Lilbor Gogoi aged about 65 years of Hindu,  
Male, being identified by const No.5844 Hiteswar Chetia and Sri Rajen Gogoi son of the deceased  
and found as follows :

One male dead body of average build dark brown – complexion wearing dhuti and  
ganji.

Rigor mortis present on both upper and lower limbs.

Examination cranium and spinal canal :

Skull contused on left temporal area. Membrain – Subdural, Heamorrhage present on  
whole cervical hemisphere, Brain-congested.

Examination of thorax –

All were found healthy.

Examination of abdomen -

All were found healthy.

Cause of death was come, resulting from head injury which was ante mortem and  
cause by blunt force impact. Approx time of death 36 to 48 hours. Ext.3 is the P.M. report. Ext.3(1)  
is my signature.

XXXXXXXXXXXXXXXXX cross XXXXXXXXXXXXXXXX

Declined

Sd/- illegible

R.O.&A.C.  
Sd/- illegible  
Addl Dist & Sessions Judge(FTC)  
Dibrugarh  
1.12.06

**FORM FOR RECORDING DEPOSITION**

Deposition of **P.W. 8**

Aged about 25 years taken on oath or solemn affirmation under Provisions of the Indian Oaths Act X of 1878 before me D.C. Chetia Phukan, Addl. Dist & Sessions Judge, FTC, Dibrugarh .... On this .....

My name is Rajen Gogoi

My father's name is Lt. Lilbor Gogoi

I am by caste . Hindu

My home is at Mauza Police Station Tingkhong, Dist- Dibrugarh

I reside at present in Mauza Dibrugarh, Police Station Dibrugarh, District Dibrugarh

Where I am .....

On S/A

I know Sunil Gogoi. About one year ahead the occurrence took place. Lilibor Gogoi is my father. I was informed by niece Prianka that Lilibor Gogoi is murdered. Accordingly I went to the place of occurrence. I found my father laying on the verandah with an injury of his neck. It was severely injury. Prianka told me that Sunil Gogoi assaulted by a bamboo Lathi to Lilibor Gogoi. Lilibor Gogoi was brought to hospital at Naharani. He was admitted there and on the next day Lilibor Gogoi died at hospital.

XXXXXXXXXXXXXXXXX cross XXXXXXXXXXXXXXXX

Sunil Gogoi has brain defect

Sd/- illegible

R.O.&A.C.  
Sd/- illegible  
28-12-07

**FORM FOR RECORDING DEPOSITION**

Deposition of **P.W. 9**

Aged about 56 years taken on oath or solemn affirmatuion under Provisions of the Indian Oaths Act X of 1878 before me D.C. Chetia Phukan, Addl Dist & Sessions Judge, FTC, Dibrugarh..... on this 28-2-07

My name is Suraj Gogoi

My father's name is Lt. Baputi Gogoi

by caste ... Hindu

My home is at Mauza Konwarigaon, Police Station Tingkhong, Dist- Dibrugarh

I reside at present in Mauza Dibrugarh, Police Station Dibrugarh, District Dibrugarh

Where I am ..... Asstt Head master.

On S/A

I know Sunil Gogoi. About one year ahead the occurrence took place. I heard that Lilibor Gogoi was killed by Sunil Gogoi (son). I heard that Lilibor Gogoi was brought to hospital. On the next day police came. And I also went there. As per direct of police I put signature in the inquest.

XXXXXXXXXXXXXXXXX cross XXXXXXXXXXXXXXXX

DECLINED

R.O.&A.C.  
Sd/- illegible  
28-2-07

**FORM FOR RECORDING DEPOSITION**

Deposition of **P.W. 10**

Aged about 49 years taken on oath or solemn affirmation under Provisions of the Indian Oaths Act X of 1878 before me D.C. Chetia Phukan, Addl. Dist & Sessions Judge, FTC, Dibrugarh .... On this .....28-3-07

My name is Sri Bhaba Ch Bhuyan

My father's name is Lt. Ratneswar Bhuyan

Caste .... Hindu

My home is at Mauza Police Station Tingkhong, District.....

I reside at present in Mauza .. Tingkhone, P.S. .... Police Station ..... District ... Dibrugarh where I am ..... S.I. of Police.

On S/A

On 10.1.06 I was S.I. of Police at Tingkhong PS. On that day an report of ejahar from Dharmeswar Gogoi. The O/C incharge Nabin Barborah registered the case and endore the same of my name for taking preliminary steps. I visited the hospital where the victim was placed. The victim was not in a position to speak. Then I went to the P.O. and recorded the statement of witnesses. I drew up sketch map. Accd was arrested on the next date and produced before the court. The victim died at hospital of his injuries. On complexion of my preliminary step I handed over the C.D. to the O.C. S.I. Bipul Katakey charge sheeted the case. I know the signature of Bipul Katakey. Ext.4(1) is the signature of Bipul Katakey.

XXXXXXXXXXXXXXXXX cross XXXXXXXXXXXXXXXX

DECLINED

Sd/- ASI, Bhaba Ch Bhuyan

R.O.&A.C.  
Sd/- illegible  
28-3-07

**FORM OF RECORDING EXAMINATION OF ACCUSED**

EXAMINATION OF ACCUSED PERSON

(Section 364 of the Criminal Procedure Code)

The examination of accused Sunil Gogoi

Aged about 36 years taken before Sri D.C. Chetia Phukan, Addl. Dist & Session Judge (FTC),  
Dibrugarh on the day of 29-11-02 in the language, interpreted by .....

My name is Sunil Gogoi

My father's name is Sri Lilabor Gogoi

I am by caste .....and by occupation.....

My home is at Mauza ....., Police Station- Tingkhong, District- Dibrugarh

I reside at Kuari gaon.....

**Q.** It is alleged that you committed murder of Lilibor Gogoi. What is your answer ?

**Ans.** False.

**Q.** P.W.1 deposed that you striked Lilibor as a result he fell down on fire while he was hiting himself and as a result Lilibor died at hospital. What is your answer ?

**Ans.** I hit Lilibor with a bamboo stick from back side and his shoulder.

**Q.** P.W.2,4,7 deposed that Priyanka told them that you strike Lilibor on the head from behind and Lilibor died at hospital. What is your answer ?

**Ans.** I hit Lilibor with a bamboo stick on his shoulder.

**Q.** P.W.3 deposed that he heard that you beat his father Lilbor Gogoi. What is your answer ?

**Ans.** I hit by a bamboo stick on his shoulder.

**Q.** P.W.5 deposed that she and Lilbor were enjoy heat at that time you hit Lilbor head from the back side and Lilbor fell down on the ground. She then outcry and called her mother who came there and called her father. They took her grandfather Lilbor inside the home and thereafter to hospital and the next day Lilbor dies. What is your answer ?

**Ans.** I made strike from backside with a bamboo stick.

**Q.** It is also stated by P.W. 5 that you fleded away after the incident.

**Ans.** It is not a fact that I fleded away but I leave the place then caught me.

**Q.** Do you have anything to say ?

**Ans.** I hit with a bamboo stick from backside to lilbor Gogoi on his shoulder.

**Q.** Will you adduce evidence ?

**Ans.** No.

Sd/- Sunil Gogoi  
Signature of mark of the accused

Sd/- Illegible  
29-11-07  
Signature of Magistrate

The above examination was taken in my presence and hearing and contains full and true account of the statement made by the accused.

Sd/- Illegible  
29-11-07  
Signature of Magistrate

Ext.1  
Sd/- illegible

## FORWARDING REPORT

To

The Officer in Charge  
Tingkhong Police Station  
Tingkhong

Dated 11-1-06

Sub: Regarding death of the injured

Sir,

Humble submission is that I lodged an ejahar 10-1-06 informing that around 8 a.m. on 9-1-06 my elder brother Lilbar Gogoi had been beaten by his son Sri Sunil Gogoi with a split firewood, thereby making him grievously injured. He had been under treatment in Nahorani Health Centre.

It is a matter of regret that my elder brother succumbed to his injuries around 10 p.m. yesterday.

I, therefore, inform you the same.

Ext.1(1)  
Sd/- illegible

Yours faithfully  
Sd/- Sri Dharmeswar Gogoi  
Son of Lt Bhakatram Gogoi  
Resident of No.2 Padumoni Gaon  
Kuwari gaon  
P.S. Tingkhong

Written as per the dictation of the complainant and when admitted correct upon being read over to him, I put my signature here.

Scribe : Krishna Deka  
11-1-06

Entered vide Tingkhong P.S. G.D.E. No. .... (torn) dtd 11-1-06

Sd/- Nobin Borborah  
Officer in charge  
Tingkhong P.S.  
Dist. Dibrugarh  
11-1-06

Ext.2  
Sd/- illegible  
26-9-06

### **INQUEST REPORT**

Ref : Tingkhong P.S. Case No.4/06 U/S 325 IPC

Now, I Sri Mridul Kumar Das, Circle Officer, Rajgarh revenue circle, along with Asstt Sub Inspector of Tingkhong P.S. Bhuban Bhuyan and his staff arrive at the house of the deceased of the above mentioned case and hold inquest on the dead body, upon its identification by the deceaseds brother Sri Dharmeswar Gogoi to the following effect :

The deceased is found lying north south at the courtyard of his residence, covered with a white cloth. Lifting the cloth with which the deceased is covered, it is noticed that the deceased is aged around 65 years. The hair is about one and half inches long and completely gray. Both the eyes are slightly open. The mouth also slightly open. The face is covered with gray beard. The two hands are lying straight. Both the legs are lying straight. The wearig of the deceased comprises of a full sleeved vest and a markin dhoti. Tossing and turning the dead body, the nape of the deceased is found blackened. Examining the witnesses, it is learnt that the deceased Lilabar Gogoi was warming himself sitting by a fire, his son Sri Sunil Gogoi dealt a blow on his nape with a split firewood, resulting in his death.

Yet, in order to ascertain the real cause of deceaseds death the dead body is being sent to A.M.C.H. Dibrugarh, for P.M. examination.

**Name and address of the deceased**

Late Lilabar Gogoi, age 65 years  
Son of Lt Bhakatram Gogoi  
Resident of No.2 Padumoni gaon  
'P.S Tingkhong

1. Sri Dharmeswar Gogoi, 45 yrs  
S/o Lt Bhakatram Gogoi  
No.2 Padumoni gaon  
P.S Tingkhong

Ext.2(1)  
S/d- illegible  
26-9-06

2. Sri Rajen Gogoi, 30 years  
S/o Lt Lilabar Gogoi  
No.2 Padumoni gaon  
P.S Tingkhong

3. Sri Saraj Kumar Gogoi, 53 yrs  
s/o Lt Babuti Gogoi  
No2 Padumoni Kuwari Gaon

4. Sri Bhadraswar Gogoi, 42 years  
Son of Sri Bapiram Gogoi  
Padumoni Kuwari gaon

Ext.2(2)  
S/d- illegible  
26-9-06

Sd/- illegible  
13-1-06

Sd/- Dr. R.K. Gogoi  
Asstt Professor  
Deptt of Forensic Medicine  
Assam Medical College

Ext.3  
Sd/- illegible

## POST MORTEM REPORT

Ref : Tingkhong P.S.C No.4/06 U/S 325 IPC

Station : A.M.C.H.  
Day of : 13-1-06  
**P.M. No.40/06**  
Name, sex, age and caste : Lilbar Gogoi, M.H., age 65 yrs  
S/o- Lt Bhakatram Gogoi  
No.2 Padumoni  
P.S. Tingkhong

Whence brought : At house  
Village and Thana

Name of constable by : C/584 Hiteswar Chetia  
Whom brought and  
Names of relatives  
accompanying

### DATE AND HOUR OF

Despatch : 11-1-06 at 4 p.m.  
Arrival at dead house : 13.1.06 at 1 pm  
Examination : 13.1.06 at 1.30 p.m.  
Information furnished by : As per inquest report etc.  
Police  
By who identified before : 1. C/584 Hiteswar Chetia  
Medical Officer : 2. Sri Rajen Gogoi (son)

N.B. Observe the state of all the organs and when no disease injury “  
is found write “healthy

### **I. EXTERNAL APPEARANCE**

1. Condition of subject stout  
Emaciated, decomposed etc : One male dead body of average built, dark brown in complexion wearing a dhuti and a ganji. Rigor mortis present on both upper & lower limbs.
2. Wounds – position and  
Character :
3. Bruise position size and nature :
4. Mark of ligature on neck : No ligature mark seen on dissection - healthy  
dissection etc

### **II. CRANUM AND SPINAL CANAL**

1. Scalp, skull, vertebrae : Scalp contused on level temporal area.  
Skull & vertebrae – healthy
2. Membrane : Sub dural haemorrhage present on whole cerebral hemisphere
3. Brain and spinal cord : Congested  
Not examined.

Note :- The spinal canal need not be examined unless any indication  
of disease or injury exist.

### III. THORAX

- |                              |                    |
|------------------------------|--------------------|
| 1. Walls ribs and cartilages | : Healthy          |
| 2. Pleurae                   | : Healthy          |
| 3. Larynx and trachea        | : Healthy          |
| Right lung                   | : Healthy          |
| Left Lung                    | : Healthy          |
| Pericardium                  | : Healthy          |
| Heart                        | : Healthy, contain |
| Vessels                      | : Healthy, contain |

### IV ABDOMEN

- |   |  |
|---|--|
| 1. Walls  | : Healthy                                |
| 2. Peritonium                                     | : Healthy                                |
| 3. Mouth, pharynx, oesophagus                     | : Healthy                                |
| 4. Stomach and its contents                       | : Healthy & Empty                        |
| 5. Small intestine and its contents               | : Healthy, contain gas and foecal matter |
| 6. Large intestine and its contents               | : Healthy, contain gas and foecal matter |
| 7. Liver  | : Healthy                                |
| 8. Spleen   | : Healthy                                |
| 9. Kidneys  | : Healthy                                |
| 10. Bladder                                       | : Healthy & Empty                        |
| 11. Organs of generation external<br>And internal | : Healthy                                |

### V. MUSCLES, BONES AND JOINTS

- |                         |                |
|-------------------------|----------------|
| 1. Injury               | : as described |
| 2. Disease or deformity | : Nil          |
| 3. Fracture             | : Nil          |
| 4. Dislocation          | : Nil          |

### MORE DETAILED DESCRIPTION OF INJURY OR DISEASE

ASSISTANT SURGEON

OPINION OF ..... AS TO CAUSE OF DEATH  
SUB- ASSISTANT SURGEON

Cause of death is come, resulting from head injury, which is ante mortem and caused by blunt force impact. Approximate time since death 36 to 48 hrs.

Ext.3(1)  
Sd/- illegible

Sd/- Dr. R.K. Gogoi  
Asstt Professor  
Department of Forensic Medicine  
Assam Medical College  
ASSISTANT SURGEON OF  
SUB-ASSISTANT SURGEON

The 13<sup>th</sup> day of January 06

### REMARKS BY CIVIL SURGEON

ASI, B Bhuyan  
Pse take n/a

Sd/- illegible  
24-6-06  
O.C.TKG P.S.

The of

Signed.....  
Civil Surgeon of

Ext.4Sd/- illegible

**Assam Schedule XL-A(Part-I), Form No.148**

### CHARGE SHEET

District Dibrugarh, Charge Sheet No.33/06 Dt 10-1-06  
Police Station Tingkhong In First Information No.4/06 dt 10-1-06

Name, address & occupation of COMPLAINANT

1

Dharmeswar Gogoi  
s/o Lt Bhakatram Gogoi  
of No.2 Padumoni Konwari gaon  
P.s Tingkhong

Names & addresses of accused persons not sent up for trial whether arrested  
or not arrested including absconders.  
[Show absconders in rred ink]

2

Names and addressed of accused persons sent up for trial

In custody

3

On bail or recognizance

4

Sri Sunil Gogoi  
s/o Lt Lilabar Gogoi  
of No.2 Padumoni Konwari gaon  
P.s. Tingkhong

Property (including weapon) found with particulars of whether, when and by whom found  
and whether forwarded to Magistrate.

5

Name and addresses of witnesses and what point each is called to prove

6

1. Dharmeswar Gogoi, S/o Lt Bhakatram Gogoi
2. Smti Dipali Gogoi, W/o Sri Pranab Gogoi
3. Sri Pranab Gogoi, S?o Sri Lilabar Gogoi
4. Sri Bipul Gogoi, S/o Lt Kuladhar Gogoi
6. Sri Lajen Gogoi, S/o Lt Lilabar Gogoi
7. Saruj Gogoi, S/o Lt Babuti Gogoi
8. Sri Bhadraswar Gogoi, S/o Sri Bogiram Gogoi

All are No.2 Padumoni Konwari gaon, P.S Tingkhong

9. Sri Mridul Kr Das, Ex. Magt, SDC, Rajgarh
10. Sri R.K. Gogoi, Asstt Professor of Forensic Medicine AMCH, Dibrugarh
11. ASI, Bhuban Bhuyan
12. SI Bipul Kataki. Both of Tingkhong P.S.

Charge of information; Nature of Offence and circumstances connected with if so, consise

detail and under that section of the penal code charged

7

The charge in brief, is that on 10-1-06 Sri Dharmeswar Gogoi, S/o Late Bhakat Ram Gogoi, R/O No.2 Padumoni Kuwari village, lodged a written ejahar with the P.S. informing that at about 8 a.m. on 9-1-06 while the complainants elder brother Lilbar Gogoi had been warming himself sitting by fire Lilbar's son Sunil Gogoi had wounded Lilbar Gogoi from behind by dealing a blow with a firewood. Accordingly, a case was registered, vide case No.04/06 U/S 325 IPC and the investigation was started. During investigation the place of occurrence was visited and the witnesses were examined. Injured Lilbar Gogoi died while under treatment. An inquest report was prepared on the dead body and the body was sent for post mortem examination to A.M.C. Dibrugarh. The PM report reveals that the "Cause of death is coma, resulting from head injury which is ante mortem and caused by blunt force impact".

During investigation the accused was arrested and sent to the court with a prayer to try the case by adding section 302 IPC. As the charge is found to be well established U/S 302 IPC charge sheet is submitted against accd Sunil Gogoi. Copy of PM report is enclosed with the charge sheet. The witnesses mentioned in column 6 will substantiate the veracity of the case.

Ext.4(1)  
Sd/- illegible

Sd/- Bipul Kataki  
Sub Inspector of Tingkhong PS

Fdd to the CJM Dibrugarh through P.I. Dibrugarh Court.

Sd/- Illegible  
Officer in Charge  
Tingkhong Police Station  
Dist. Dibrugarh  
5.7.06