22-3-2014
9.00 am – 12.00 pm

The Gauhati High Court at Guwahati

(The High Court of Assam, Nagaland, Arunachal Pradesh & Mizoram)

WRITTEN EXAMINATION FOR DIRECT RECRUITMENT TO GRADE -I OF ASSAM, NAGALAND AND ARUNACHAL PRADESH JUDICIAL SERVICE (2014)

Paper-I
English

Duration: 3 Hours
Total Marks: 100

Part - A
Total Marks: 20

1. Write essays on any two of the following topics: 2X10= 20 marks

(i) Section 377 I.P.C. and protection of LGBT (Lesbian, Gay, Bisexual and Transgender)
(ii) Pre-trial detention- necessity and relevancy.
(iii) Freedom of expression Vs media trial.
(iv) Multi-party system is beneficial for Democracy.

Part - B
Total Marks: 40

2. Read the following passage and answer the question that follows the passage: 4x2.5 = 10 marks

One phase of the business cycle is the expansion phase. This phase is a twofold one including recovery and prosperity. During the recovery period there is ever-growing expansion of existing facilities, and new facilities for production are created. More businesses are created and older ones expanded. Improvements of various kinds are made. There is an ever-increasing optimism about the future of economic growth. Much capital is invested in machinery or "heavy" industry. More labour is employed.

More raw materials are required. As one part of the economy develops, other parts are affected. For example, a great expansion in automobiles results in an expansion of the steel, glass and rubber industries. Roads are required, thus the cement and machinery industries are stimulated. Demand for labour and materials results in greater prosperity for workers and suppliers of raw materials, including farmers. This increases purchasing power and the volume of goods bought and sold. Thus, prosperity is diffused among the various segments of the population.

This prosperity period may continue to rise and rise without an apparent end. However, a time comes when this phase reaches a peak and stops spiralling upwards. This is the end of the expansion phase.

I. Which of the following statements is the best example of the optimism mentioned in the passage as being part of the expansion phase?

(a) Public funds are designated for the construction of new highways designed to stimulate tourism.
(b) Industrial firms allocate money for the purchase of machine tools.
(c) The prices of agricultural commodities are increased at the producer level.
(d) Full employment is achieved at all levels of the economy.
(e) Taxes are reduced in the economy.

II. It can be inferred from the passage that the author believes that

(a) When consumers lose their confidence in the market, a recession follows.
(b) Cyclical ends to business expansion are normal.
(c) Luxury goods such as jewellery are unaffected by industrial expansion.
(d) With sound economic policies, prosperity can become a fixed pattern.
(e) Business expansion is followed by an economic depression.

III. Which of the following statements would be most likely to begin the paragraph immediately following the passage?

(a) Some industries are, by their very nature, cyclical, having regular phases of expansion and recession.
(b) Inflation is a factor that must be taken into consideration in any discussion of the expansion phase.
(c) The farmer's role during the expansion phase is of vital importance.
(d) During the expansion phase, everyone is optimistic.

IV. What is the passage about?

(a) Economics of necessity
(b) Idea of growth
(c) Phase of expansion of business
(d) Economic growth education.

3. In each of the following questions, a word printed in capital letters precedes four optional words or phrases. From these four optional words or phrases, pick the one most nearly <u>opposite</u> in meaning to the capitalized word.

5X1= 5 marks

I. INNOCUOUS
(a) offensive (b) harmless (c) organic (d) anger

II. INTRICACY
(a) ornate (b) simplicity (c) distance (d) cordiality

III. HAPLESS
(a) lucky (b) kind (c) helpful (d) futile

IV. AUDACITY
(a) quivering (b) patricide (c) bravado (d) cowardice

V. STURDY
(a) important (b) rich (c) weak (d) vigorous

4. In each of the following questions, a word printed in capital letters precedes four optional words or phrases. From these four optional words or phrases, pick the one most nearly <u>similar</u> in meaning to the capitalized word.

5X1=5 marks

I. RECUPERATE
(a) recapture (b) reclaim (c) recover (d) regain

II. WRATH
(a) violence (b) anger (c) hatred (d) displeasing

III. CAPTIVATE
(a) repel (b) subjugate (c) dangerous (d) fascinate

IV. REDEEM
(a) extend (b) fulfil (c) reconsider (d) recover

V. FACET
(a) sweet (b) tap (c) deceit (d) aspect

5. Directions - In each of these questions, in the given sentences, a part of the sentence is underlined. Write the correct/more appropriate part for the underlined part of the sentence.

5X1=5 marks

(Please write complete sentences with the answer underlined)

I. Although I calculate that he will be here any minute, I cannot wait much longer for him.

II. Eaten in Portugal only, the Indians viewed the potato with suspicion for they assumed it had poisonous properties since only the white skinned people consumed it.

III. The Vice President of the local bank spoke for a half an hour and told his colleague that he, his colleague, must consider finding a new job, or accept a reduction in salary.

IV. No matter what experience you have had with forest fires, if you would have witnessed the fire roaring down through the canyon, you would have been terrified.

V. Except for you and I, everyone brought a present for the little birthday boy.

6. Substitute the following by one word

5X1=5 marks

I. One who believes that nothing can be known about God.

II. The art of telling one's character or future by examining one's hands.

III. To kill by passing electricity through the body.

IV. Goods carried by ship, train, plane, etc.

V. The appearing of objects which are not really there.

7. **Directions- The following questions consist of two words each that have a certain relationship to each other followed by a third word. From amongst the given options, select the word that has same relationship with the third word like the original pair of words.**

5X1 = 5 marks

I. Eye : Myopia :: Teeth :?

(a) Cataract
(b) Pyorrhoea
(c) Eczema
(d) Trachoma

II. Darwin : Evolution :: Archimedes : ?

(a) Buoyancy
(b) Lubrication
(c) Liquids
(d) Friction.

III. Matricide: Mother:: Homicide : ?

(a) Father
(b) Human
(c) Apes
(d) Children.

IV. Disease: Pathology:: Planet : ?

(a) Palaeontology
(b) Astrology
(c) Geology
(d) Astronomy

V. Sedative: Pain:: Solace : ?

(a) Grief
(b) Irritation
(c) Kill
(d) Hurt

8. Fill in the blanks with most appropriate option

5X1=5 marks

I. After a short holiday Rajni came back totally_____
- **(a)** rejuvenated
- **(b)** reborn
- **(c)** refurbished
- **(d)** revamped

II. Macbeth is a tragedy of a man who was _____with great qualities.
- **(a)** empowered
- **(b)** endowed
- **(c)** obsessed
- **(d)** possessed.

III. The most obvious reason for his lack of popularity was his_____to find fault with others.
- **(a)** reluctance
- **(b)** premonition
- **(c)** superiority
- **(d)** propensity.

IV. Gokhle's patriotic speeches _____ people to dedicate their lives to the nation.
- **(a)** forced
- **(b)** inspired
- **(c)** instigated
- **(d)** prompted

V. AIDS is not a disease that can be_____through the air or by insects.
- **(a)** circulated
- **(b)** transferred
- **(c)** transmitted
- **(d)** conducted.

Part - C
Total Marks: 40 Marks

9. Select the most appropriate answer **30X1=30 marks**

I. The play 'Ruddhasangit' is based on the life of-

(a) Shyamal Mitra
(b) Hemanta Mukherjee
(c) Purnadas Baaul
(d) Debabrata Biswas

II. What branch of biology, dating from the discovery of blood corpuscles by Marcello Malpighi in 1661, classifies and describes the development of the forms of living organisms?

(a) Enology
(b) Geology
(c) Histology
(d) Scientology

III. Which country reached an agreement with Kosovo on overcoming ethnic enmities?

(a) Macedoonia
(b) Serbia
(c) France
(d) Albania

IV. The main occupation of Palaeolithic (Old Stone Age) people was

(a) Animal Husbandry
(b) Fishing
(c) Agriculture
(d) Hunting

V. The only Muslim woman to sit on the throne of Delhi was

(a) Razia Sultana
(b) Mumtaz Mahal
(c) Hamida Banu Begum
(d) Nur Zahan

VI. The market regulations in India were introduced by

(a) Balban
(b) Babar
(c) Sher Shah Suri
(d) Allauddin Khilji

VII. The pioneer of the Bhakti movement in India was

(a) Kabir
(b) Shankaracharya
(c) Ramananda
(d) Ramanuja

VIII. Which of the following States of India has the longest coastline?

(a) Orissa
(b) Tamil Nadu
(c) Andhra Pradesh
(d) Gujarat

IX. The wrongly matched pair is

(a) Khartoum-Sudan
(b) Rotterdam-Australia
(c) Warsaw-Poland
(d) Dublin-Ireland

X. In the human body, the basic building blocks are

(a) Bones
(b) Nerves
(c) Muscles
(d) Cells

XI. The concept of welfare state is included in the constitution of India in the
(a) Fundamental Rights
(b) Fundamental Duties
(c) Preamble
(d) Directive Principles

XII. Secularism in the Indian context means that

(a) Citizens are not discriminated on account of religion
(b) Religion is regarded as a private affair of a citizen
(c) Neither (A) nor (B)
(d) Both (A) and (B)

XIII. The boundary line between India and Pakistan on their attaining independence in 1947 is called

(a) Maginot Line
(b) Durand Line
(c) McMohan Line
(d) Radcliffe Line

XIV. Two Ashokan pillars were brought and installed in Delhi by

(a) Qutubuddin Aibak
(b) Firozeshah Tughlaq
(c) Akbar
(d) Alauddin Khalji

XV. Which of the following planets is smaller than the Earth?

(a) Saturn
(b) Venus
(c) Uranus
(d) Neptune

XVI. Myanmar is a new name of

(a) Burma
(b) Thailand
(c) Philippines
(d) Vietnam

XVII. The language used for standard zoological nomenclature is

(a) Latin
(b) French
(c) English
(d) Greek

XVIII. Goitre or abnormal enlargement of the thyroid gland is caused by the

deficiency of

(a) Iron
(b) Iodine
(c) Potassium
(d) Magnesium

XIX. Computer follows a simple principle called GIGO which means:

(a) Garbage in garbage out
(b) Give input get output
(c) Good input good output
(d) Greater instructions greater output

XX. What is the commonly used unit for measuring the speed of data transmission?

(a) Bits per second
(b) Nano seconds
(c) Characters per second
(d) Mega Hertz

XXI. 'Blue tooth' technology allows -

(a) Landline phone to mobile phone communication
(b) Signal transmission on mobile phones only
(c) Wireless communication between equipments
(d) Satellite television communication

XXII. Which of the following is not correctly matched?

(a) Bhangra-Punjab
(b) Bihu-Nagaland
(c) Garba-Gujarat
(d) Tamasha-Maharashtra

XXIII. *Tatu-bola, fuleco, Adidas- Brazuca, Caxirola, Inspiration* are associated with -

(a) FIFA World Cup - 2014
(b) Winter Olympics 2013 - Sochi
(c) NASA
(d) Official sponsors of French Grand-prix- 2014

XXIV. Bit coins are-

(a) Virtual currency earned by solving a complex set of logarithms (computer-based mathematical problem)
(b) A portal of capital market
(c) Genetically grown crops
(d) Genetically grown buffalos

XXV. A much acclaimed book "The Immortals of Meluha" has been authored by-

(a) Amish Tripathi.
(b) Karan Johar.
(c) Mahesh Bhatt
(d) Karan Thaper

XXVI. Which of the public sector bank has so far not issued credit cards?

(a) Central Bank of India
(b) State Bank of India
(c) IDBI Bank
(d) Canara Bank

XXVII. Reserve Bank of India has decided to withdraw all currency notes printed before 2005. It is being done-

(a) To detect, weed out and estimate the quantum of fake currency in India.
(b) To unearth the black money in the country
(c) For no stated reason
(d) To issue plastic currency in near future

XXVIII. The concept of "Vicious circle" of poverty has been given by-

(a) Gunnar Myrdal
(b) Ragner Nurkse
(c) V.K.R.V. Rao
(d) Dada Bhai Nauroji

XXIX. The difference in the duration of day and night increases as one move from?

(a) West to East
(b) East and West of the prime meridian
(c) Poles to equator
(d) Equator to poles

XXX. Blue revolution refers to?
(a) Forest Development
(b) Fishing
(c) Poultry Farming
(d) Horticulture

10. Write answers to the following questions (do not write the question)

10X1=10 marks

I. Ordinary Table Salt is Sodium Chloride. What is baking Soda?

II. Name the fastest Indian Supercomputer recently developed by ISRO?

III. Name the first Nuclear Powered Submarine of India?

IV. For what reason Edward Snowden was recently in news?

V. What does IRCTC stand for?

VI. What is "Bing" which is related to Internet Communication?

VII. Recently, Naval Officers were killed in a fire mishap in a Submarine, named?

VIII. Name the eminent Scientist who has been conferred "Bharat Ratna" along with legendary Cricketer- Sachin Tendulkar?

IX. Name the legendary sports person who is battling for life after the Dec.29 Ski Accident on the Slope of Meribel Ski Station in French Alps?

X. Which country will host the 20th FIFA World Cup-2014?

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22-3-2014
1.00 pm to 4.00 PM

THE GAUHATI HIGH COURT

(The High Court of Assam, Nagaland, Arunachal Pradesh & Mizoram)

Main Written Examination for Direct Recruitment to Grade-I of Assam Judicial Service (2014)

Total Marks: 100 (One Hundred)
Time: 3 (Three) hours.

The candidates are expected to refer to the relevant decisions of the Apex Court and the High Courts while writing answers.

PAPER – II
Group-A

(2x12=24)

1. Answer all questions in one sentence-

a) When does motive play an important role in criminal case?

b) When is bad character relevant in a criminal case?

c) Who can file an inter pleader suit?

d) What are the main considerations for staying the execution of a money decree?

e) When can a conviction be based on the sole testimony of a witness?

f) When departmental enquiry against a delinquent employee is said to have been commenced?

g) Which type of identification of an accused supplies a substantive piece of evidence? Identification parade or dock identification or both?

h) What standard of proof is required when an accused intends to prove the defence that his case falls under general exception?

i) *'A'*, who was appointed to be a guardian of the person and property of minor *'B'* by the Court, claims that he has acquired some property (of minor), alleged to have been orally gifted to him by *'B'* after attaining majority and in lieu of his services as guardian. Whether the claim of *'A'* is tenable, if so; why?

j) In which case Supreme Court interpreted Section 89 CPC by observing that it is not necessary for the court, before referring the parties to the ADR process to formulate or reformulate the terms of a possible settlements?

k) Give essential ingredients of offence punishable u/s. 306 I.P.C.

l) In the case of Jurnel Sing, Supreme Court has given directions on the mode of determination of age of a victim. What is that?

Group-B

2. Distinguish between **(2x10=20)**

a) Court and Tribunal
b) Void and voidable contract
c) Guarantee and Indemnity
d) Inquiry and Investigation
e) Mortgage by conditional sale & Sale with a condition to repurchase
f) Sale and exchange
g) Res judicata and res subjudice
h) Fundamental duties and fundamental rights
i) Former statement and previous statement
j) Presumption of fact and presumption of law

Group-C

3. Answer in 'Yes' or 'No' with appropriate reference of law. **(2x12=24)**

a) In a departmental inquiry the department has to prove the charges/allegations beyond reasonable doubt?

b) At the time of accident driver was holding a license to drive a light motor vehicle but having obtained no endorsement to drive commercial vehicle in the driving license. Whether the insurer, in case the vehicle in question is Mahindra Maxi Cab, can avoid its liability to pay compensation on this ground?

c) An accused is obliged to prove his defence version beyond reasonable doubt.

d) Whether the compliance of Section 5A of Land Acquisition Act is necessary for making valid declaration under Section 6 (1) of the Land Acquisition Act?

e) Whether the tribunal, in a case for motor accident Claim filed under section 166 or 168 of Motor vehicle Act, can award compensation in excess of what is claimed?

f) *'A'* has been ordered to be tried at the stage of last prosecution witness u/s 319 Cr.P.C. Now the court wishes to hold independent trial of newly added accused *'A'*. Whether it is permissible? Give reasons.

g) During the proceeding of execution of a decree, if a question arises as to whether any person is or is not the representative of a party, such question shall be determined by the court which passed the decree.

h) Is an application relating to supply of water for irrigation belonging to the Government, is exempted from the Court fees as per the provisions of the Court Fees Act? Explain.

i) Is the lease of immovable property from year to year is to be registered compulsorily.

j) Where any amount is due from any person under an award, the Motor Accident Claims Tribunal may, on an application made to it by the person entitled to the amount, issue a certificate for recovery of amount to the Sub-divisional Magistrate.

k) After having received the charge sheet the Magistrate finds that a person whose name is mentioned in F.I.R. has not been named in charge sheet. Upon independent application of mind to material on record the Magistrate wishes to take cognizance against that person. Can he do so before recording evidence and if so under what provision?

l) Whether a second FIR for de-novo investigation of the same incident is permissible?

Group- D

4. Answer briefly-[Any 16 questions] **(2x16=32)**

i. Give various modes of proving the identity of hand writing purported to be of accused?

ii. *'A'* and *'B'* who are husband and wife file a divorce petition on the basis of mutual consent u/s 13 B of Hindu Marriage Act. The wife does not turn up after six months. Husband applies for a decree of divorce on previous consent and contends that the wife has shown no reason to withdraw the consent. What is the option with court?

iii. Who can file a representative suit?

iv. While interpreting O 17 R 1(2) of C.P.C. the supreme Court in case of Shree Vardhman Rice and General Mills vs. Amar Singh Chawalwala (2009) 10 SCC 257 has given some guidelines regarding disposal of intellectual property cases. What are the guide lines?

v. Plaintiff is seeking execution of an unregistered rectification agreement, against his sister, the defendant. Defendant is denying on the ground of it being obtained by undue influence. Whose burden shall it be to prove?

vi. When can a rectification of an instrument be made applicable. Explain.

vii. In which case a statement of a witness recorded U/S 164 Cr. P. C. can be treated as Examination-in-Chief ?

viii. A witness dies after recording examination-in-chief and before cross-examination commences. What will the court do in such a situation?

ix. When can pre-summoning of witness for recording evidence may be dispensed with under Section 200 Cr. P.C.?

x. Under section 144, Code of criminal procedure 1973, under what circumstances an Executive Magistrate may act ex-parte, if immediate prevention or speedy remedy is desirable?

xi. Whether the statement of a witness recorded u/s. 161 Cr. P.C. can be used for the purpose of deciding the issue of disposal of property involved in a criminal case? If yes, in what manner?

xii. Whether additional amount under section 23 (1-A) is payable on the solatium under S. 23 (2) of Land acquisition Act?

xiii. In a suit, court held that the suit has not been properly stamped. The plaintiff, after availing one opportunity, wishes to get another opportunity. What the plaintiff will show in order to convince the Court?

xiv. The Court finds that some of the documents filed by plaintiff are not admissible. What order the Court will give regarding these documents?

xv. Being an advocate of unsuccessful party in trial court, you have to file an appeal, but the limitation of appeal has expired. What is required to be done by you and the party?

xvi. In "State of Haryana vs. Mukesh Kumar, AIR 2012 S.C. 559" what has been observed by the Supreme Court regarding adverse possession?Discuss.

xvii. When can an offence be considered as cognizable by the Sessions Court? Can the Magistrate probe into the matter and discharge the accused?

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23-3-2014
9.00 am to 12.00 Pm

THE GAUHATI HIGH COURT AT GUWAHATI

(The High Court of Assam, Nagaland, Arunachal Pradesh & Mizoram)

Main Written Examination, 2014 for direct recruitment to Grade-I of Assam, Nagaland and Arunachal Pradesh Judicial Service [23-03-2014, Sunday]

(Paper-III)

Total Marks: 100 Time: 3 hours

You are expected to refer to the relevant decisions of the apex court and the High Courts while writing answers.

CONSTITUTIONAL LAW (Group-A)

Answer any 8 (Eight) questions. **(8X5=40 marks)**

1) Describe the duties of a Chief Minister in respect of furnishing of information to the Governor.
2) What steps are to be taken by the Government regarding safety of female at work place with reference to the directions issued by the Apex Court in Vishakha's case?
3) Explain the Fundamental Duties of a citizen of India.
4) How can the citizenship of India be terminated? Explain.
5) Write short note on: (i) Principle of collective responsibility
   (ii) Writ of Certiorari
6) Explain the Ordinance making and pardoning powers of the President of India.
7) Right to Information is a fundamental right. Explain.
8) Directive principles have been given the status of fundamental rights. Comment.
9) Describe privileges of the Legislature.

JURISPRUDENCE (Group-B)

Answer any 2 (two) questions. **(10x2 = 20 marks)**

1) When strict rules come to hardship, equity shall apply. Explain.
2) Guarantee of equality before the law is an aspect of the Rule of Law. Explain.
3) Enumerate the requisites of a valid custom.
4) What is judicial discretion? Explain.
5) Delay, laches, acquiescence and waiver disentitles the petitioner for relief. The inordinate delay and laches disentitle a person to obtain relief from the court. Inordinate delay is not merely a factor for the court to refuse appropriate relief but also a relevant consideration not to unsettle the settled things.

JUDGEMENT WRITING

1. **Write a judgment** **40 marks.**
   (Paper Book enclosed.)

PAPER BOOK

LIBRARY BOOK

(3)

Seen
Sd/-Illegible
C.J.M
~~Seal~~
29.10.05

FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)

G.R. No. 946/05

1. Dist. Jorhat.....PS....Jorhat ...Year....2005

.. FIR No 384 ....Date.....29.10.05 .....

(i) Act.....IPC.. .... Section... 302

II) *Act.....x.....Section.....x.....

iii) *Act.....Section.....x.....

iv) *Other Acts & Section.....x.....

3. A) General Dairy Reference : Entry No.....Time.....

B) *Occurrence of offence: *Day...Fri-Day Date 28.10.05 Time

..... not noted

C) Information received Date 29.10.05 Time 1.30 P.M. G.D. No. at the Police Station:.....

4. Type of Information .....Written/ Oral.....Written.....

5. Place of occurrence: a) Direction and Distance from P.S.

About 10 K.M. South.

b) *Address.....Gotouja Tea estate Natun Line charaibahi Beat No.....

c) In case limit of this Police Station, then the name of P.S. ....

.....District ..... x.....

6. Complainant/ Informant :

a). Name..... Mr Kishore Baruah

b). Father's name ...

C). Date/year of Birth

d). Nationality .....Indian.....

e) Pass port No .....Date of issue.....Place of issue

f) Occupation .....Service. .....

g) Address...~~Gotou~~Gontang ja T.E. P.S. Jorhat.

7. Details of knows/suspected/unknown accused with full particulars :

Sri~~ϕ~~ Ashok Tanti
Of Gotouja T.E. Natun Line.
P.S. Jorhat.

8. Reasons for delay in reporting by the Complainant/ Informant:

.....

9. Particulars of properties stolen/ involved (Attach separate sheet if reqd):.....

10. * Total value of properties stolen/involved:.....

11. * Inquest Report/ U.D. Case No., if any.....

12. First Information Contents (Attach separate sheets, if required):

Copy enclosed here with.

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 : S.I. Utpal Kr. Das.....to .....take up the investigation/ transferred to P.S.....on point of jurisdiction.

F.I.R. read over to the complaint/ informant, admitted to be correctly recorded and a copy given to the complainant/ informant, free of cost.

Sd/- Dilip Sarmah
Signature of the Officer In – Charge
Police Station with

Name : Dilip Sarmah
Rank : S.I. د ٥/ب
Number if any Jorhat P.S.
Dtd. 29.10.05

Sd/- Kishor Barooah. Age 33 yrs.
Signature/ Thumb impression of the
Complainant/ Informant.
ڪ:
C/o. Parag jyoti Barooah

Ext. 3
Sd/-Illegible
Addl. Session Judge
Jorhat
10.4.06

Seen
Sd/- illegible
C.J.M
29.10.05

EJAHAR

GR NO. 946/05

To

The Officer in Charge
Rowriah Police station

Dear Sir,

There has been a complaint regarding murder, of Smti Labanya Tanti by her husband Shri Ashok Tanti a resident of Natun Line at Gatoonga Tea Estate the resident of the line has approached is to report the matter to police station. We therefore request you to kindly look in to the matter and do the necessary as deemed fit. Thanking you.

Ext 3 (1)
Sd/- illegible
Addl. Sess. Judge
Jorhat
10/4

Yours Faithfully
Sd/- Kishor Barooah
For. Asstt. Register
Gatoonga T.E.

The neighbor has reported that they went to work at 7.00 A.M. and while returning from work at 6.00 P.M they heard about the case and came to the Forensic Asstt. Register to inform the police.

Received vide Rowriah of G.D.E. No 540 dtd 28.10.2005 at 10.30. P.M. and forwarded to O/C the P.S. for favor of registering a

case under proper.....Section of Law. I have duly taken up the investigation of the case.

Ext 3 (2)
Sd/- illegible
28.6.06

Sd/- Utpal Kr. Das
Seal
28.x.05

Received and Registered Jorhat P.S. Case No 384/05 dt. 29. 10. 05. U/s 302 IPC

Sd/- Dilip Sarmah. S.I
Seal
29.10.05

(7)

CHARGES WITH/TWO HEAD.

(No. 32 (II). Schedule II .1 Act. of 1974)
(Section 221/212/213 of Code of Criminal Procedure. 1973)

SESSION CASE NO. 18 (J-J)/06.

(1) Name and Office of Magistrate/

I, (1) Shri S.M. Haque, AJS.,
Addl. Sessions Judge, Jorhat.

(2) Name of the accused

hereby charge you (2) Shri Ashok Tanti @ Patra.

as follows

(3) Date and place

First -That you, on or about (3) 28.10.05 at day time at Gatanga Tea Estate Natun Line had committed murder by intentionally / knowingly causing the death of your wife Smti. Labanya Tanti,

and thereby of the Indian Penal Code committed an offence punishable under Section 302 and within the cognizance of my Court of Sessions,

Secondly -That you, on or about at

and thereby of the committed an offence punishable under Section and within the cognizance of my Court

And I hereby direct that you be tried on the said charge.

Dated the 28th day of March 2006

(Sections 228 (2), 240 (2), 246 (2) of Criminal Procedure Code)

Dated this .. 28th March/06 the day of

28/3/06
Addl. Sessions Judge,
Jorhat.

The above charge is read over and explained to the accused to which he pleaded not guilty.

Signature of the Magistrate

28/3/06

IN THE COURT OF CHIEF JUDICIAL MAGISTRATE JORHAT

G.R. CASE NO. 946/05
STATE
-VS.-
Ashok Patra @ Tanti

COMMITMENT ORDER

Dated : 9.3.06

Accused person Shri Ashok Tanti @ Ashok Patro is produced from Jail Custody.

Copy furnished in compliance with Sec. 207 IPC. Cr.P.C.

Since the alleged offence is U/S. 302 IPC, which is exclusively triable by the Hon'ble Court of Sessions Judge, let the case recorded along with the documents and articles, if any. He committed to the hon'ble court of Sessions Judge, Jorhat.

Notify the learned P.P.

Send back the accused person to the jail custody with a direction to the j-ail authority to produce the accused person before the Hon'ble Session Judge. Jorhat.

Fixed 20.3.06 for production.

Sd/- illegible

(9)

Assam Schedule VIII Form No..93

High Court Criminal Form No.(M) 83

FORM FOR RECORDING DEPOSITION

THE DEPOSITION of P.W. 1

aged about 56 years taken in oath or solemn affirmation under provisions of the Indian Oaths Act. X of 1878, before me S.M. Haque Addl. Sessions Judge, Jorhat this 10th day of April 06

My name is Sri Siba Tanti.

My father's name is Lt, Ugri Tanti

I am by caste Hindu My house is at Mouza Natun Line Gatonga T.E.

Police Station Jorhat District Jorhat

I reside at present in Mauza Natun Line, Ganglanga T.E.

Police Station Jorhat District Jorhat

Where I am garden Employee.

On S/A,

Accused Ashok is my son in law (daughter's husband). This accused had married my only daughter Labanya some 2 ½ years prior to her death. They had no issue. The accused was living in my house with daughter Labanya as ' gharjowai' (person residing in his father in law's house- Tr)

The incident took place on 28.10.05. leaving my daughter Labanya and her husband at my house, I left for my duty in there morning. Except for we three, there are no other person at my house. My wife died long before. I have no other child.

(10)

In the evening, I returned home from my duty. I found the door closed. I called out my daughter as "Ma, Ma". She did not reply. I saw the door kept tied up from outside. Untying the door, I entered ~~exerted~~ the house. As it was dark I flashed the torch. I saw my daughter lying dead on the floor in the inner room. The house has afone two rooms. I saw the lower portion of the eyes became red. I saw one pliers lying on the place where she was lying. I raised hue and cry. People came. I do not know whom the public informed. Police came and examined the dead body. Ext. 1 is the inquest report. Ext 1 (1) is my signature. I did not find my son – in – law Ashok. He did not return home. That night police did not find him. Next morning, some village lads found Ashok hiding himself in a school at 'Char' area. They kept him tied up. Police was informed. Police came and took him away. The accused admitted before us that he had committed the crime. The accused did not tell how he had killed Labanya. I heard that he gave a lathi and a black wire to the police. I was not present when he gave those two articles. Police seized those. I put my signature on the seizure list. Ext 2 is the said seizure list. Ext 2 (1) is my signature. M. Ext. Ka is the lathi. M. Ext. kha is the wire.

Xxxxxxxxxxxx

Ashok and Labanya had no dispute. I never saw them quarreling. The houses of Bhim Rajak, Kemen Turi, Naresh Turi are close to my house. The garden line road runs along the front of our houses. I had another daughter. She eloped with a boy long before Labanya's marriage. The bamboo basket, where paddy is stored in was there in the room where Labanya was lying. Bikram's house is in the back side of my house. Coming back from my duty,

I called my daughter ~~lent~~ just she did not reply when Bikram's 10/12 years old daughter whom we call as matu told that

Labanya might have gone towards garden line. I went to her paternal uncle's house assuming that she might be there upon not finding her there, I came back. There was none when I entered the house by opening the door. The plier, which I had seen, was given to the police. I have not seen that tool in the court today. I do not know what is written in Ext. 1. it was written on 29.10.05. police wrote that one thereafter police took the body for post- mortem examination. Police obtained my signature on Ext 2 on 29.10.05. Some persons from the public also put their signature on Ext.2. I do not know who put their signature. I know the Bihari shop owner, Babulal by name. he has shop on the line Babulal did not visit our house. It is not a fact that Babulal used to came to our house. He is still in our line. He is a married man. He has got children.

It is not true that Labanya had illicit relation with Babulal.

I did not see any injury in Ashok's body when the village lads took him under seizure.

It is not true that his body bore injury. Ashok and Labanya did not work in the garden. This is not true that when public caught Ashok he confessed before the public that on seeing Labanya and Babulal having sex a quarrel broke out between him (Ashok) and Babulal; that in that quarrel Babulal and Labanya injured Ashok by hitting him and that when Babulal ran away he (Ashok), out of rage, killed Labanya.

Sd/- Siva Tanti

R.O. & A.C
Sd/- illegible
10.4.06

Assam Schedule VIII Form No. 93
High Court Criminal Form No. (M)83

FORM FOR RECORDING DEPOSITION

THE DEPOSITION OF P.W. 2

Aged about 34 years taken on oath or solemn affirmation under provision of the Indian Oaths Act X of 1878, before me S.M. Haque, Addl. Sessions Judge, Jorhat ....this 10th day of April 06

My name is Sri Kishore Baruah

My father's name is Lt. Pragjoyti Baruah

I am by caste Hindu My house is at Mauza Gatanga T.E.

Police Station Jorhat District Jorhat

I reside at present in Mauza Gatanga T.E. Police Station Jorhat

District .....Jorhat .....where I am Asstt. Manager (Factory)

Gatonga T.E.

On S/A

On 28.10.05 I was working as the Asstt Manager (Factory) at Gatanga T.E. On that day at about 10.30 A.M. One Smti Bhanti Rajak accompanied by some other women of Natun Line, Gatanga T.E. had verbally informed that one Smti Labanya Tanti was murdered by her husband Sri Ashok Tanti and asked me to inform the matter to police. Accordingly I had informed the police by filing an ejahar. Ext. 3 is the ejahar. Ext.3(1) is my signature here. I had no any personal knowledge about the occurrence. I had sent the F.I.R. to Rowriah O.P. then and there(sic) through Secretary Labour union.

XXXXXXXXXXX

In my F.I.R. exhibit 3 I had not mentioned the name of the person/ persons who informed me the about the occurrence.

In my F.I.R. exhibit 3 I had not mentioned at what time the matter$ was informed to me.

So the time given by me to be 10.30 a.m. was given from my memory only. In the F.I.R. a note was given by me that the labourers had gone to work at 7 a.m. and returning from work at 6 p.m. they came to know about the occurrence on according came to me to inform the matter to report to police. I had not put any signature after (illegible) note.

Sd/- Kishore Baruah

R.O. & A.C

Sd/-illegible

10.4.06

Assam Schedule VIII Form No. 93

High Court Criminal Form No.(M) 83

FORM FOR RECORDING DEPOSITION

THE DEPOSITION of P.W. 3

aged about 32 years taken in oath or solemn affirmation under provisions of the Indian Oaths Act. X of 1878, before me S.M. Haque Addl. Sessions Judge, Jorhat this 24th day of April 06

My name is Sri Manik Nayak

My father's name is Lt. Bhuban Nayak

I am by caste Hindu My house is at Mouza Oria Line of Gatonga T.E.

Police Station Jorhat District Jorhat

I reside at present in Mauza Oria Line of, ~~Ganglanga~~ Gatonga T.E.

Police Station Jorhat District Jorhat

Where I am Garden Worker.

On S/A,

I know the accuse4d Ashok Tanti. I knew his wife Lt. Labanya Tanti. I do not remember the day and date etc. of the incident.

I was present when police went in investigation. In my presence when Ashok produced a wire and a lathi from his living house police seized those two articles. Ext 2 is the seizure list. Ext 2 (2) is my signature.

Accused Ashok lived in his father- in – law's house as ' Ghar Jowai'. He brought out those two articles from that house.

M. Ext. Ka is the lathi and M. Ext. Kha is the said were.

(15)

Xxxxxxxxxxxxxxxxxx

I did not see from which place of the house the accused produced those articles. Police seized the articles in the following day of the day of incident. At that time a large number of people gathered there.

Sd/- Manik Nayak

R.O. & A. C
Sd/- illegible
24.4.06

15 - 19 (16)

Assam Schedule VIII Form No. 93

High Court Criminal Form No.(M) 83

FORM FOR RECORDING DEPOSITION

THE DEPOSITION of P.W. 4

aged about 45 years taken in oath or solemn affirmation under provisions of the Indian Oaths Act. X of 1878, before me S.M. Haque Addl. Sessions Judge, Jorhat this 24th day of April 06.

My name is Smti Umeshari Karmakar

My father's name is Lakhi Charan Karmakar

I am by caste Hindu My house is at Mouza Gatonga T.E.

Police Station Jorhat District Jorhat

I reside at present in Mauza ~~Ganglanga~~ Galonga T.E.

Police Station Jorhat District Jorhat

Where I am Garden Employee.

On S/A,

I know accused Ashok. I knew his wife Labanya too. One Friday, when I was returning from the garden (from my duty) just before the evening, I heard a hue and cry in the house in which Ashok and Labanya used to live I went there and found Labanya dead and her father crying. The neighbors gathered there. Ashok and Labanya lived in Labanya's father's house along with her father.

I did not see how Labanya had died.

Xxxxxxxxxxxxxxx

Declined.

LTI. Of Umeshari Karmakar

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

FORM FOR RECORDING DEPOSITION (17)

THE DEPOSITION of PW-5

aged about 42 years taken in oath or solemn affirmation under provision of the Indian Oaths Act. X of 1878, before me Shri S.M.Haque, Addl. Sessions Judge, Jorhat this 24th day of April, 2006 of

My name is Dr. Amal Kumar Phukan

My father's name is Sri Bidyadhar Phukan I am

by caste Hindu My house is at Mauza Jorhat

Police Station Jorhat District Jorhat

I reside at present in Mauza Jorhat Police Station Jorhat

District Jorhat where I am Medical & Health Officer No-1, Jorhat Civil Hospital.

On S/A

On 29-10-2005 I was working as the Medical & Health Officer No-1 at Jorhat Civil Hospital. On that day I had performed the post-mortem examination over the dead body of Labanya Tanti at 3 P.M. at Jorhat Civil Hospital as produced by Rawriah O.P. ~~In charge~~ with Rowriah O.P. G.D.Entry No. 540 dated 28-10-2005. The dead body was escorted by police constable No. 141 Sri Pabitra Sonowal and by Sri Sita Tanti and Sri Nipon Tanti, the relatives of the deceased who had identified the dead body to me.

The deceased was a Hindu female about 26 years of age.

During post-mortem examination the following injuries were found upon the dead body.

1). Bruise 3 c.m. x 3 c.m. lateral to right eyebrow.

2). Transverse linear mark in the middle of the neck about 6 c.m. x 2 c.m.

On dissection the subcutaneuous tissues shows parchmentisation. Rigor-mortis present. Injuries were ante-mortem. Other organs were found healthy.

OPINION

Death due to asphyxia as a result of strangulation.

Parchmentisation means (slightly rubber like in nature.)

CROSS-EXAMINATION : FOR THE ACCUSED

DECLINED

R.O.&.A.C.

Addl. Sessions Judge, Jorhat.

AGP Ass. Sch. (VII) F No 13.Regd No.—68/02-03 3,00,000--17-2.03

Assam Schedule VIII, Form No. 93

High Court Criminal Form No. (M) 83

- 16 -

(18)

FORM FOR RECORDING DEPOSITION

THE DEPOSITION of P.W.6

aged about 40 years taken in oath or solemn affirmation under provision of the Indian Oaths Act, X of 1878, before me S.M. Hague, Addl. Sessions Judge, Jorhat this 28th day of June 06 of

My name is Sri Utpal Kr. Das

My father's name is Sri Kamala Ch. Das

by caste Hindu

Police Station Dispur

I reside at present in Mauza Haltigaon.

District Kamrup

My house is at Mauza Haltigaon

District Kamrup

Police Station Dispur

where I am I/c Haltigaon O.P.

1 am

OMS/A.

On 28.10.05 at 10-30 p.m. I was working as the I/C of Rowriah Police Outpost. On that day an FIR was received at about 10 P.M, lodged by Sri Kishor Kumar Boruah, the then Factory Asstt. Manager of Gatoonga T.E. about the murder of Smt. Labonya Tanti by her husband. The FIR was sent by informant through Garden Chowkider. Upon that FIR, Rowriah O.P. G.D.E. No.540 dtd. 28.10.05 was made at 10-30 p.m. Exbt.3 is the said FIR and Exbt.3(2) is my signature with note about the G.D.entry dtd.28.10.05 ~~dtd. 28.10.05~~ made upon that FIR. and I had sent the FIR to the concerned Jorhat P.S. for registration of a case and I had taken up investigation. Upon that FIR Jorhat P.S. case No.384/05 U/S 302 IPC was registered I had visited the place of occurrence on that night. I had recorded the statement of some witnesses at that night. Due to night I came back keeping the dead body of deceased Smti. Labonya Tanti on the place of occurrence under police guard.

Next day, I had given requisition to depute one Executive Magistrate for inquest of the dead body. Learned

(19)

Executive Magistrate Sri Jadav Saikia had performed the inquest over the dead body in my presence. Exhibit.1 is the said inquest and Ext.1(2) is the signature of Executive Magistrate, Sri Jadav Saikia whose signature is known to me as I had worked with him in law and order duty. I had sent the dead body of Labonya Tanti to Jorhat Civil hospital for post mortem examination.

I had arrested accused Sri Ashok Patra @ Tanti, the husband of the deceased who had admitted his guilt and had given information to me that he would produce the incriminating weapon by which he killed his wife and as per his information he had produced one Bamboo lathi and a black wire which I had seized vide Exhibit-2 in presence of the witnesses. Exhibit.2(3) is my signature there. Material Exhibit.A is the said lathi and material Exhibit.B is the wire seized by me .

I had recorded the statement of remaining witnesses. Thereafter, I had sent the accused to court on 29.10.05 with the prayer to record his statement U/S 164 Cr.P.C. but later on, it is revealed that the accused had declined to confess. Later on collecting the post-mortem report of the deceased , I had submitted charge sheet against accused Sri Ashok Patra @ Tanti U/S 302 IPC. At the time of arrest some injuries were found in the person of accused Sri Ashok Tanti where he revealed to me that he was beaten by the public and kept him confined by the people from which I had arrested him .

At the time of occurrence accused Sri Ashok Patra @ Tanti was living with his wife Smt. Labonya Tanti in the house of his father-in-law Sri Shivo Tanti since his marriage with Smt. Labonya Tanti and at the time of occurrence the accused was not on Garden Employee of Gatonga Tea Estate. I had prepared sketch map of the place of

cntd...P/3.

occurrence. Exbt.4 is the said sketch map and Exbt.4(1) is my signature there . At the time of my first visit to the place of occurrence on the night of 28.10.2005 I had not met the accused there as he had fled away . But on the next day when I had visited the place of occurrence he was found kept confined by the public .

X X X

I could not ascertain from the witnesses at what time Smt. Labonya Tanti was killed on 28.10.2005 as the father of the victim was on duty and in the house only accused and his wife were there . I had arrived at the place of occurrence on 28.10.05 at 11 p.m.

Before receiving FIR no any information about the occurrence was received verbally or over telephone. The endorsement made in the FIR that the labourers had gone to work on that day at 7 a.m. and after returning from work at 6 p.m. they heard about the occurrence for which the informant was informed for lodging ejahar at Rowriah O.P. on 28.10.05 at 19-30 p.m. was more at the time of filing of the F.I.R.

The seized articles were brought by accused from the Bed room of the house of Sri Shive Tanti where the incident was occurred. The seizure witnesses and some other persons were there at the time of said seizure . It is not a fact that the accused Sri Ashok Tanti had never led me upon his information given to me to recovery the seized articles.

contd..p/4.

It is not a fact that the seizure witnesses had not entered into the house at the time of leading to discovery. The seized articles were not sent for chemical examination to F.S.L.

R.O.& A.C.

28/6/06

Addl.Sessions Judge,
Jorhat.

cntd...P/3.

prepared sketch map of the place of

Assam Schedule VIII, From No. 99.
High Court Criminal Forms No. (M) 85

FORM OF RECORDING EXAMINATION OF ACCUSED

Examination of Accused Person

(Section 364 of the Criminal Procedure Code)

The Examination of Accd Sri Ashok Patra

Aged about 30 years, taken before me S.M. Haque Addl Sess. Judge, Jorhat

On the 1st day of July 2006 in the

In language, interpreted by

My name is Sri Ashok Patra.

My father's name is Lt. Someswar Patra

I am by caste Uria and by occupation Daily hazira

My home is at Mauza--------- Police Station Ghiladhari

District I reside at Jamuguri Bagan.

Qus. P.W. 1 Sri Siba Tanti, who is your father- in- law, has stated in evidence that you married his daughter Labanya some 2 1/2 years ago and lived in his home as ' Ghar Juwai' (one who lives in his father in law's house). What do you say?

Ans. Yes.

Qus: P.W. 1 Siba has further stated that at the time of occurrence Labanya, you and he (PW1) were living in the said house. What do you say?

Ans: Yes.

Qus: Pw 1 has again stated that at the time of occurrence you did not work in the garden. What do you say?

Ans: Yes, I occasionally work as day ~~laborer~~ labourer.

Qus: Pw 1 has further stated that on the day of occurrence leaving you and Labanya at home he left for his duty at the garden. What do you say?

Ans: Yes.

Qus: He has further stated that returning from the garden that day, he found Labanya a dead in his house but did not find you. What do you say?

Ans: Yes.

Qus: Pw 1 has further stated that the next day, the villagers found you in a L.P. School near the char and took you under seizure and that you admitted before the public that you committed the occurrence. What do you say?

Ans: Yes.

Qus: P.w 1 Siba Tanti, I/O Pw6 and P.W 3 Manik Nayak have stated in evidence that when you produced a lathi and a burnt wire to the police the police seized these two articles by Ext.2. What do you say?

Ans: Yes.

Qus: P.w. 2 Kishore Baruah has stated in evidence that Ext. 3 ejahar was lodged in respect of the said incident. What do you say?

Ans: Yes.

Qus: Pw.1 Pw 3 and Pw 6 have stated in evidence that the seized lathi is exhibited in the court as M.E.Ka and the wire as M.Ext Kha in the court. What do you say?

Ans: I do not know.

Qus: I/O P.W. 6 has stated in evidence that he got the inquest on the dead body conducted by Executive Magistrate and Ext. 1 is the inquest report. What do you say?

Ans: I do not Know.

Qus: P.W. 6 the I/O has stated in evidence that he sent the dead body to the Jorhat Civil Hospital for autopsy. What do you say?

Ans: Yes.

Qus: P.W. 5 the Doctor has stated that conducting post mortem examination on Labanaya's dead body, he found a minor injury near the right eyebrow and in the neck: that examining the injury of the neck, he found the tissues just like rubber; that this position occurs when the neck is squeezed; that Labanaya died of this injury and that the injury is ante mortem. What do you say?

Ans: I do not know.

Qus: Do you have anything to say?

Ans: Before the incident, I went out of the house. After a little while when I returned home, I saw Babulal, the ' Bihari' boy, who has a shop a little distance away from our house, having sex with my wife Labanya. When I charged at him my wife helped him running away. Out of rage, I hit my wife Labanaya with lathi and strangled her with a wire. Thereafter, I ran away and hid myself. Next day, public caught me. I admitted before the public that I had killed Labanya. I told them that I committed the murder as I had seen Labanya having sex with Babulal. I loved Labanaya a lot. We had no issue.

Sd/- Ashok Patra
(Signature of mark of the accused)

Sd/- illegible
1.7.06
(Signature of Magistrate)

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

Sd/- illegible
1.7.06
(Signature of Magistrate)

Assam Schedule VIII, From No. 99.
High Court Criminal Forms No. (M) 85

Sess. 18 (JJ) 06 U/S 302 IPC
The State- Vs- Ashok Patra

FORM OF RECORDING EXAMINATION OF ACCUSED

Examination of Accused Person

(Section 235 (2) of the Criminal Procedure Code)

The Examination of Ashok Patra

Aged about 29 years, taken before me S.M. Haque

Magistrate of the Class at Addl. Sess. Judge.

On the 20th day of July 2006 in the Assamese

In language, interpreted by Sri S.M. Haque

My name is Sri Ashok Patra.

My father's name is Lt. Someswar Patra

I am by caste Hindu and by occupation Daily wage earner

My home is at Mauza Ghiladhari Police Station Ghiladhari

District Golaghat I reside at Jamuguri Bagan.

Qus. Upon finding sufficient evidence against you in Sess. Case no 18 (J-J) / 06 you are convicted of (murder) U/S 302 IPC. Do you have anything to say regarding the punishment?

Ans: I am in the Jail from the next day of the day of occurrence. I may be given mercy.

Sd/- Ashok Patra
(Signature of mark of the accused)

Sd/- illegible
20.7.06
(Signature of Magistrate)

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

Sd/- illegible
20.7.06
(Signature of Magistrate)

Ext. 1(1)
Sd/-illegible
Addl. Sess. Judge
Jorhat
10.4.06

Seen
Sd/-Illegible
8.2.06
C.J.M.

(26)

INQUEST REPORT

Ref: Rowariah O.P. G.D.E. No. 540 dt. 28.10.05

I, Shri Jadav Saikia, E.M. Jorhat am present here in the house of Sri Siva Tanti of Natun line of Gatonga T.E. Under Rowriah O.P. today 29.10.05 at 11.00 a.m. for inquest of a dead body as per requisition of I/C Rowriah O.P. and order of DM Jorhat

The dead body is found lying inside the bed room of Sri Siva Tanti in a cramped position in one corner. The dead body is of a young woman of 26-28 yrs of age. Deceased is identified as Labanya Tanti(26), W/o Sri Ashok Patra @ Tanti by here father Sri Siva Tanti, 56, S/o Lt. Ugri Tanti as his daughter, who used to reside with him with her husband Ashok after marriage.

As it is very dark inside, inquest could not be done at the spot where dead body is found lying. So it was ordered to bring the dead body out to broad day light after preliminary enquiry of I.O.

Now, I examine the dead body in presence of witness. The deceased is a woman of medium built, hairs black. Eyes are shut. No external injury marks do served on the head and fore head. A bruish mark of 1" x 1' Size just below the right eye is observed where skin appears black. On the neck, a mark of resembling strangulation by rope etc. is seen spreading towards both the sides of neck, up to lower portion of neck. Shallow braish of skin on neck observed. No external injury marks observed on the chest and abdomen. No external injury marks observed on the legs from thighs down to toes.

Both the hands are found intact, and no external injury marks observed.

19 - 36 -

Now, I turn the dead body and examine the back side. No external injury marks observed on rear side of head and neck, back and down to waist. No external injury marks observed on rear side of legs.

From preliminary examination, the cause of death could not be guessed/ found out. So, for ascertaining actual cause of death, the dead body is forwarded to the J.D.S Civil Hospital Jorhat for P.M. examination. The I/C Rowriah O.P will do the needful for getting P.M. E done early.

Witnesses

1. Sd/- Siva Tanti, 36 56 yrs
S/o Lt. Ugri Tanti
Gatanga, Natun Line P.S. Jorhat

Ext. 1(1)
Sd/- illegible
10.4

2. Sd/-Nipu Tanti, 20 yrs

3. Sd/- Sri Karuna Tanti
Resident of Barkathani
Tea Estate
Uria line P.S. Sumoni, Golaghat.

Ext.1(2)
Sd/-illegible
28.6.06

4. Sd/- Sri Benu dhar Tanti, 22 yrs
s/o Sri Mahen Tanti
resident of Uria line P.S. Sumoni
Golaghat

Sd/-illegible
(Jadav Saikia ACS)
E.M. Jorhat
29.10.05

(28)

Ext. 2
Sd/-illegible
Addl. Sess. Judge
Jorhat
10.4.06

Seen
Sd/-Illegible
C.J.M.
29.10.05.
M.R. No.306/05
Jalk. P.S. Case No - 384/05
u/s 302 IPC.

SEIZURE LIST

Ref: Rowariah O.P. G.D.E. No. 540 dt. 28.10.05

In connection with the above reference I S.I. Utpal Kr. Das, O/C Rowriah police out post have arrived at the house of Siva Tanti, son of Late Ugri Tanti at Natun line in Khatanga tea estate. At this house, accused Sri Ashok Patra admits his crime before the local people and when he shows the following articles which he used in the murder of his wife. I do hereby seize the same vide this seizure list in presence of following witnesses.

Place: Siva Tanti's house at Natun line in Khatenga tea estate.

Time : At 10 a.m.

Description of the seized articles

1. One 2 ft 9 inches long green bamboo lathi with 4(four) nodes. Black strap of a tube is wrapped in one end and a yellow plastic string is attached to it.

2. One piece of black wire which is about 3 ½ ft long.

Sig. of witness

1. Sd/- Sri Manik Nayak
Uria line, Gatanga tea estate
P.S. Jorhat

Ext. 2(2)
Sd/-Illegible
24.4.06

2. Sd/- Sri Bhim Razak
S/o Mohanlal Razak
Natun line Gatanga tea estate

3. Sd/- Siva Tanti
S/o Lt. Ugri Tanti
Natun Line
Gatanga tea estate
P.S. Jorhat

Ext. 2(1)
Sd/- Illegible
Addl. Sess. Judge
Jorhat
10.4

Ext. 2(3)
Sd/-illegible
28.6.06.

Sd/-illegible
29.11.05
Camp. Natun Line
Gatanga tea estate

Sd/- Sri Ashok Patra

(29)

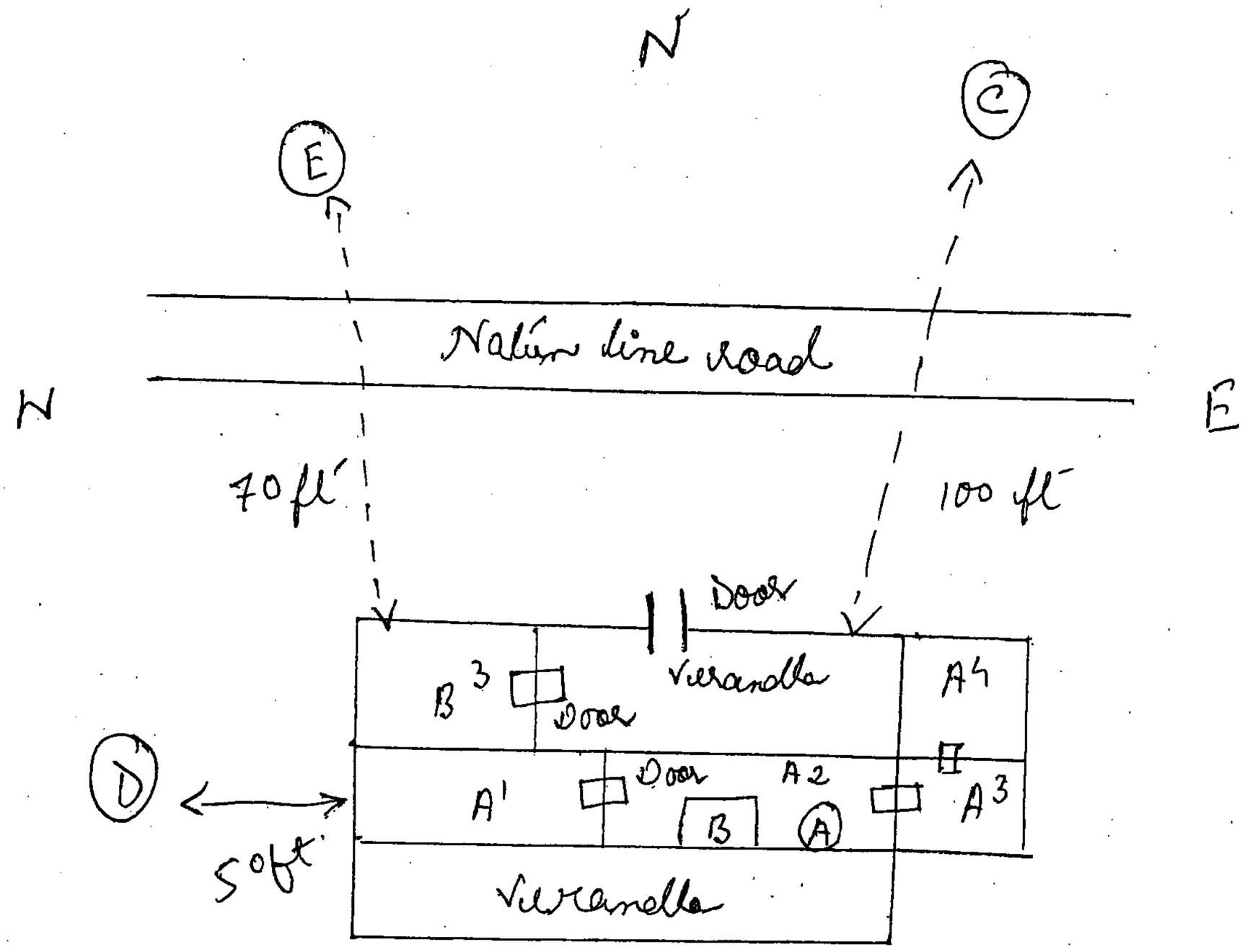
21 28 -

Ext. 4
Sd/-illegible
Addl. Sess. Judge
Jorhat
28.6.06

Seen
Sd/-Illegible
8.2.06
C.J.M.

ROUGH SKETCH MAP OF P.O

Ref: R/ ... - O.P. G.D.E. No. 540 dt. 28.10.05



S

A indicates the P.O. i.e. the place where Labanya Tanti's dead body is found lying.

A1 A2 A3 indicate two rooms of the house respectively and the bed room of the accused.

A4 indicates kitchen.

B1 indicates the raised platform used for keeping paddy lane.

B2 indicates accused persons. The accd brought out the lathi from under this bed.

B3 place where the wire used in murder, is found lying. The accd shows the wire.

C indicates Bhim Rajak's house closed to the P.O.

D indicates Sri Hemen Mirdha's house situated in the west of the P.O.

E indicates Mohan Karmakar's house at the north of the P.O.

Be it mentioned that the P.O. of the case is about 15 k.m. South West from the out post.

Ext. 4(F)
Sd/-Illegible
Addl.Sess. Judge
Jorhat
28/6

Sd/-Illegible
SI
29.10.05

(31)

~~23~~

-~~30~~-

Seen
Sd/-illegible
8.2.06
C.J.M.

Assam Schedule XLIII(Part 1) Form No. 24

POST MORTEM REPORT

Ref: G.D.E. No. 540 dt. 28.10.05 Rowriah O.P.

Station : JDS Civil Hospital Jorhat

Day of :- 29.10.2005

Name, Sex, age

and caste :Labanya Tanti , 26 yrs Female

W/o Sri Ashok Patra

Whence brought

Village and Thana : Gotonga T.E. Natun line

Rowriah O.P.

Name of constable by

whom brought and names

of relatives accompanying : C141 Pabitra Sonowal

Sri Sita Tanti

Sri Nipu Tanti

DATE AND HOUR OF

Despatch : 29.10.2005, 12.30 noon

Arrival at dead house : 29.10.2005

Examination : 29.10.2005 , 3 p.m.

Information furnished by

Police. : As per inquest report.

By whom identified before

Medical Officer : C/141 Pabitra Sonowal

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

1. EXTRANAL APPERANCE

1. Condition of subject stout emaciated, decomposed etc. ; Adult woman of about 26 yrs, of age . Rigor mortis present average built.

1. Bruise 3 cm x 3 cm lateral to right eye brow.

2. Transverse linear mark in the middle of the neck about 6cm x 2 cm

On dissection the subsentaneous tissues shows parchmentisation.

2. Wounds - position, and character. :

3. Bruise Position size and nature. :

4. Mark of ligature on neck Dissection, etc. :

II. CRANUM AND SPINAL CANAL

1. Scalp, skull, vertebrae Healthy.

2. Membrane : Healthy

3. Brain and spinal cord : Healthy .

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

III. THORAX

1. Wallis ribs and cartilages : Healthy

2. Pleurae : Healthy

3. Laryax and trach ere : Healthy.

Right lung : Healthy

Left lung : Healthy

Pericar (dium) Healthy.

Heart : Healthy full on both sides

Vessels. : Healthy.

IV.ABDOMEN

1. Walls : Healthy

2. Peritonoum : Healthy

3. Mouth, pharyanx, oesophagus : Healthy.

4. Stomach and its contains : Healthy,

5. Small intestine and its contents : Healthy

6. Large intestine and its contents : Healthy

7. Liver : Healthy

8. Spleen : Healthy

9. Kidneys : Healthy.

10. Bladder : Healthy.

11. Organs of generation external

and internal : Healthy. Uterus –Normal size.

V. MUSCLES, BONES AND JOINTS

1. Injury	: As described in 1
2. Disease or deformity	: Nil
3. Fracture	: Nil
5. Dislocation	: Nil

MORE DETAILED DESCRIPTION OF INJURY OR DISEASE

The injuries one ante mortem in nature.

ASSISTANT SURGEON
OPINION OF .....AS TO CAUSE OF DEATH
SUB – ASISTANT SURGEON

In my opinion the cause of death is due to asphyxia as a result of strangulation.

Sd/- Dr. Amal kr. Phukan
M & H O - I (Asst)
ASISTANT SURGEON OF
SUB-ASISTANT SURGEION

The 29th day of October 2005

REMARKS BY CIVIL SURGEON

Copy forwarded

Sd/-illegible
(Seal)
22.12.05

The day of

Signed.....
Civil Surgeon of ...

1.00 pm to 3.00 Pm

The Gauhati High Court at Guwahati
(The High Court of Assam, Nagaland, Arunachal Pradesh & Mizoram)
Main Written Examination, 2014 for direct recruitment to Grade-I of Assam Judicial Service
অসম ন্যায়িক সেৱা - ১
২০১৪

সময় ঃ ২ ঘণ্টা (Paper-IV) অসমীয়া (23.03.2014(Sunday) মুঠ নম্বৰ-৫০

১) তলত উল্লিখিত যি কোনো এটা বিষয়ৰ ওপৰত এখন ৰচনা লিখকঃ ১০

(ক) মহিলাৰ সৱলীকৰণ আৰু ইয়াৰ প্রয়োজনীয়তা।

(খ) বন্ধ সংস্কৃতি আৰু ন্যায়ালয়ৰ হস্তক্ষেপ।

(গ) সমকামিতাৰ বৈধতা অবৈধতা।

২) অসমীয়া ভাষাত প্রচলিত তলৰ শব্দবোৰৰ কোনটো কোন বিদেশী ভাষাৰ পৰা অহা উল্লেখ কৰক ঃ ৫X১=৫
(যিকোনো পাঁচটা)

দেৱাৰী, বন্দোৱস্ত, ফতোৱা, আল্লাহ, খালাচী, বেগম, হজ, তহচিলদাৰ।

৩) ভাৰতীয় সংবিধানৰ প্রস্তাৱনাটো অসমীয়াত লিখক। ১০

WE THE PEOPLE OF INDIA, having solemnly resolved to constitute India into a SOVEREIGN SOCIALIST SECULAR DEMOCRATIC REPUBLIC and to secure to all its citizens:
JUSTICE, social economic and political;
LIBERTY of thought, expression, belief, faith and worship;
EQUALITY of status and of opportunity; and to promote among them all
FRATERNITY assuring the dignity of the individual and the unity and integrity of the Nation;
IN OUR CONSTITUENT ASSEMBLY this twenty-sixth day of November, 1949 do HEREBY ADOPT, ENACT AND GIVE TO OURSELVES THIS CONSTITUTION.

বা অসমীয়ালৈ অনুবাদ কৰক ঃ

An honour killing or honour killing is the homicide of a member of a family or social group by other members, due to the belief of the perpetrators that the victim has brought dishonour or shame upon the family or community. Victims of honour killings are killed for reasons such as refusing to enter on arranged marriage, being in a relationship that is disapproved by their relatives, having sex outside marriage, becoming the victim of rape, dressing in ways which are deemed inappropriate or engaging in homo-sxeual relations. While the United Nations estimated in 2000, that 5000 people were victims of honour killings each year.

P.T.O.

৪) ইংৰাজীলৈ অনুবাদ কৰক ঃ ১০

সম্মান পূৰ্ব্বক আমি আপোনাৰ জ্ঞতাৰ্থে জনাব খোজো যে আমি গুৱাহাটী পৌৰ নিগমৰ ৩৪নং ৱার্ডৰ অন্তর্গত ফটাশিল আমবাৰী অঞ্চলৰ দুৰ্ভগীয়া বাসিন্দা। আমি নিয়মিত ভাৱে নিগমৰ কৰ-কাটল আদায়দি আছো যদিও নিগমে আমাক যথেষ্ট অৱজ্ঞা কৰা দেখা গৈছে। যিহেতু ইয়াৰ ৰাস্তাঘাট বোৰ গাত, খাল আদিৰে ভৰি পৰিছে আৰু যাতায়াত কৰাত অসুবিধা হৈ পৰিছে আৰু সেইবোৰৰ অনতিপলমে নিৰ্ম্মাণ কৰিবলগীয়া হৈছে।

তদুপৰি ডাঙৰ সমস্যাটো হ'ল খোৱাপানীৰ অভাৱ। খোৱা পানীৰ স্থায়ী ব্যৱস্থাৰ অভাৱে অঞ্চলটোৰ জনজীৱন অচল কৰি পেলাইছে। অঞ্চলটোৰ বাসিন্দাসকলে য'ৰে তৰে পৰা খোৱাপানী সংগ্রহ কৰি ব্যৱহাৰ কৰিবলগীয়া হোৱাত মানুহবোৰৰ বিভিন্ন বেমাৰ-আজাৰ হোৱা দেখা গৈছে। আমি যিহেতু নিগমৰ কৰ-কাটল দি থাকো, গতিকে আমাক নিগমে খোৱা পানীৰ যোগান ধৰিবই লাগিব, এয়া আমাৰ দাবী।

(৫) তলৰ শব্দসমষ্টিবোৰ শুদ্ধকৈ সজাই একোটি বাক্য ৰচনা কৰক ঃ ৫X১=৫

(ক) শান্তনা পাৰি ধৈর্য্য বিপদত লভিব ধৰিলেহে ।
(খ) চমুকৈ কৰি ডাঙি ধৰা বর্জন বাহুল্যতা বক্তৃতা তোমাৰ।
(গ) সুন্দৰময় ফুটি প্রকৃতিৰ তুলিছে হৈ কৰি জাতিস্কৃত বুকু।
(ঘ) এতিয়া আহিছে বিপদজনক দিয়া এৰি নাও বতাহ নদীত ।
(ঙ) ছাত্রবৃন্দ সকলক কৰিছে নানা পণ্ডিতমন্ডলীবৃন্দই উপদেশ।

(৬) অসমীয়া পৰিভাষা লিখকঃ ১X৫=৫

Affidavit, Review, Annexure, Tribunal, Vacancy, Status Quo, Malafide, Franchise

(৭) তলৰ শব্দকেইটাৰ বাক্য ৰচনা কৰক ঃ(যিকোনো পাঁচটা) ১X৫=৫

মৰগীয়া বানচ, ন্যায় প্রক্রিয়া, সাংবিধানিক বৈধতা, নিষেধাজ্ঞা, আইনৰ শাসন, ন্যায়িক বৈধতা, সৰলীকৰণ, বিধি পথালি।

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