

BEFORE

**HON'BLE THE CHIEF JUSTICE MR. AJIT SINGH
HON'BLE MR. JUSTICE MANOJIT BHUYAN**

20.9.2017

(Ajit Singh,CJ)

Mr. SS Dey, learned Amicus Curiae, assisted by Mr. HK Das, learned counsel.

Mr.RKD Choudhury, learned Additional Senior Government Advocate, Assam for respondent Nos. 1 to 5. Mr. RK Borah and Mr. R Phukan, learned counsel for respondent No.6.

Mr. Pranjal Bora, Assistant Commissioner of Police, Azara is also present in person.

One child Raja Ali, aged 14 years, son of Md. Suleman Ali, was arrested by the police of Police Station Bharalumukh for offences under Sections 457/380 of the Indian Penal Code vide Case No.60/2017. At the time of arrest, condition of Raja Ali was normal, but he died on 9.2.2017, while in custody. His post-mortem report reveals that he died due to ante mortem injuries caused by blunt force impact. And, on the intervention of this Court, the police have registered offences under Sections 302/34 of the Indian Penal Code at Bharalumukh Police Station vide Case No.413/2017 against Inspector-Uma Kanta Borah, Sub-Inspector-Azijur Rahman and Sub-Inspector -Tamizuddin Ahmed (Retired), who have also been temporarily released awaiting report of chemical analysis from Directorate of Forensic Sciences, Kahilipara and also pathological report from the Department of Pathology.

Having regard to the serious nature of crime and involvement of police personnel, we direct both these

Departments to prepare and hand over the reports to the Investigating Officer within 15 days from today. The Investigating Officer shall collect the reports from both the Departments and inform this Court on the next date of hearing about the action taken.

List the case for further order(s) on 23.10.2017, on which date, the Investigating Officer shall remain present in person.

A copy of the order be supplied to Mr. RKD Choudhury, learned Additional Senior Government Advocate, Assam for information and compliance.

JUDGE

CHIEF JUSTICE

skd