



FORM -26
(See rule 4A)



S/A & declared before me by the deponent who is identified by :-

Affidavit to be furnished by the candidate before the Returning Officer for election to Assam Legislative Assembly
(name of the House) from No. 85 Rupohihat
constituency (name of the constituency)

Jalib Hussain Foraji
Advocate,
Nagaon (Assam)

Rashidul Haque

AFFIDAVIT.

I, Rashidul Haque, Son of Late Afaz, aged about 74 years, resident of vill.- Samdhara, P.O.- Dagaon under Juria P.S. in the district of Nagaon (Assam) candidate at the above election, do hereby solemnly affirm/state on oath as under :-

P 23/3/06
MAGISTRATE
NAGAON (ASSAM)

1. I am an accused of offence(s) punishable with imprisonment for two years or more in a pending case(s) in which a charge(s) have been framed by the court(s) of competent jurisdiction.

If the deponent is accused of any such offence(s) he shall furnish the following information :

(i) Case /First information report No. Nagaon P.S. Case No. 278/99 (G.R.649/99), Rupahihat P.S. Case No. 83/97 (G.R. 1275/97) and Lanka P.S. Case No. 128/00 (G.R. 697/00).

(ii) Police Station(s) Nagaon Sadar, Rupahihat and Lanka, District Nagaon (Assam).

Identified by :-
ADVOCATE,
Nagaon, Assam

23/3/06



(2)

(iii) Section(s) of concerned Act(s) and short description of the offence(s) for which the candidate has been charged U/S 120(B)/341/342/365/368/506 I.P.C., U/S. 448/353/294/500/506 I.P.C. and U/S. 147/149/427/323/325 I.P.C.

Description of the cases are as follows :-

(I) Rupahihat P.S. Case No. 83/97 (G.R. No. 1275/97), is a case U/S.448/353/294/500/506 I.P.C. In this case it was alleged that Shri Rashidul Haque, MLA had misbegaved the O/C of Rupahihat P.S. over Telephone and that Shri Haque had tried to pressurige the said Police Officer not to arrest a particular youth. It was also alleged that Shri Haque had applied force to deter the public servant from discharging his duty. Hon'ble High Court of Gauahati has called for the record and stayed the further proceeding of the case. But the Hon'ble High Court has sent back the case to the learned C.J.M., Nagaon for trial and disposal. The Hon'ble High Court of Gauahati passed no order as the engaged Advocate for the accused didnot appear in the Court.

(II) Nagaon P.S. Case No. 278/00 (G.R. No. 649/99) is a case U/S. 120(B)/341/342/365/368/506 I.P.C. In this case one Shri Baidya Nath Shahani, a local press Reporter lodged an F.I.R. on 16.4.99 alleging inter-alia that Shri Rashidul Haque had wrongfully kept him in his house and the MLA had threatened him not to publish any news against him. Shri Rashidul Haque, MLA had also lodged the FIR before Shri Sahani lodged his FIR, alleging inter-alia that Shri Baidya Nath Shahani had come to his house and demanded Rs. 20,000.00 for not publishing any news against him. Police also registered this FIR as Nagaon P.S. Case No. 277/97. The Hon'ble High Court of Gauahati interferred in Criminal Rvn. No. 165/2000 on the ground that besides others, both cases should have been tried together. the Hon'ble High Court, Gauahati issued direction to the Learned C.J.M., Nagaon to see that both cases to be tried together. Now the case is in hearing stage.

23/4/99
MAGISTRATE,
NAGAON (ASSAM)

Contd....3

(3)

(III) Lanka P.S. Case No. 128/2000 (G.R. 697/2000) U/S. 147/149/427/323/325 I.P.C. In this case the information alleging inter-alia that while he was on his way to Hojai along with Mrs. Sarifa Begum to seek party ticket, Shri Rashidul Haque caught him and declared him a broker of A.G.P. It was also alleged that Shri Rashidul Haque assaulted the informant. Charge sheet was filed in December/2000. Shri Rashidul Haque approached the Hon'ble High Court on 20.12.2000 with a prayer for quashing the aforesaid charge-sheet. Hon'ble high Court, Gauahati requisitioned LCR and the case is now pending before the Hon'ble High Court. The case has not been proceeded further. All these cases were result of political vendetta.

20/12/06
MAGISTRATE
NAGAON (ASSAM)

(IV) Court(s) which framed the charge(s) -1) In GR Case No. 1275/97 and (2) GR Case No. 697/2000 charges yet to be framed. But in GR case No. 649/99 charge has been framed by the Hon'ble SDJM, Sadar, Nagaon Court was pleased to framed charge U/S. 120-13/341/365/368/506 I.P.C. on 30.10.2004.

(V) Date(s) on which the charge(s) was/were framed as mentioned above in I(IV).

(VI) Whether all or any of the proceeding(s) have been stayed by any court(s) of competent jurisdiction- Yes, GR Case No. 697/2000 the Hon'ble High Court, Gauahati stayed the proceeding. In GR case No. 1275/97 proceeding has been stayed by the Hon'ble High Court, Gauahati, but the case was sent back to the Trial Court for in the proceeding. Hence, the case is at appearance stage.

Contd...4

(4)

2. I have not been convicted of any offence (s) and sentenced to imprisonment for one year or more.



If the deponent is convicted and punished as aforesaid, he shall furnish the following information :- Doesnot arise.

23/3/06
MAGISTRATE
NAGAON (ASSAM)

VERIFICATION.

I, the above named deponent, do hereby verify and declare that the contents of this Affidavit are true and correct to the best of my knowledge and belief, no part of it is false and nothing material has been concealed therein.

Verified at Nagaon on this 23rd day of March/2006.

Place :- Nagaon (Assam).

Date :- 23.3.06

Rashid Haq
(Signature of Deponent.)
