

As to the procedure for laying such a charge, I wish to point out to the Court that the accused was not present while the kit inspection was being carried out in the hut in which he lives, which is against proper procedure. Secondly, the witness was not conducting the said kit inspection according to the rules laid down in army routine as they were apparently two or three persons involved into shifting articles of kit from one place to another. Basing my argument on these facts, I would ask the Court to acquit the accused as there can be no prima facie case on that particular charge.

REPLY BY THE PROS OFFR ON THE SUBMISSION BY  
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THE DEF OFFR  
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I leave the decision in this matter to the Court.

THE COURT IS CLOSED

THE COURT IS RE-OPENED

THE PRESIDENT ANNOUNCES THAT THE COURT CONSIDERS THAT THE PROSECUTION HAS FAILED TO MAKE A PRIMA FACIE CASE AND THAT THE CHARGE IS THEREFORE DISMISSED AND THAT THE ACCUSED IS NOW RELEASED.

