

GAHC010017712023



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : CrI.A./25/2023

JAGADISH BARMAN
S/O MANMOHAN BARMAN,
VILL.- BATLAGURI,
P.O. AND P.S.- PUNDIBARI,
DIST.- COOCH BEHAR, WEST BENGAL, PIN- 736165.

VERSUS

THE STATE OF ASSAM
REP. BY P.P.

2:ANIMA RAI
D/O SUKUMAR ROY

VILL.- PARBATINAGAR

P.S. TEZPUR

DIST.- SONITPUR
PIN- 784001

Advocate for the Petitioner : G UDDIN

Advocate for the Respondent : PP, ASSAM

**BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI**

ORDER

Date : --06.02.2023

Heard Mr. G. Uddin, learned counsel for the petitioner. Also heard Ms. S.H. Bora, learned Addl. P.P., Assam for the State respondent No. 1.

This appeal under Section 374(2) Cr.P.C. has been filed against the impugned judgment and order dated 09.01.2023 passed by the learned Addl. Sessions Judge, FTC, Tezpur in Session Case No. 198/2019 by which the appellant was convicted under Section 376 IPC and sentenced to undergo R.I. for 10 years and to pay fine of Rs. 10,000/- and further sentenced to Simple Imprisonment for one year for the offence under Section 417 IPC.

The appeal is admitted.

Issue notice to the respondent No. 2 returnable by 4 weeks.

The appellant shall take steps for service of notice upon respondent No. 2 by registered A/D post as well as usual process within 3 days.

No formal notice need to be issued as the learned Addl. P.P. appeared for respondent No. 1.

Call for the LCR. List the matter accordingly.

JUDGE

Comparing Assistant