

GAHC010023272025



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

Case No. : I.A.(Crl.)/114/2025

RAJU MODAK
S/O LATE GOPAL MODAK, RESIDENT OF CHOTOGUMA, PS GOLAKGANJ,
DIST DHUBRI ASSAM

VERSUS

THE STATE OF ASSAM AND ANR
REP BY THE PP ASSAM

2:SANKAR KALITA
S/O LATE HEMEN KALITA

RESIDENT OF VILAGE SUNDARISAL
PS KAMALPUR
DIST. KAMRUP
ASSAM 78138

Advocate for the Petitioner : ABU TALEB SARKAR, AMINUR RAHMAN

Advocate for the Respondent : PP, ASSAM,

Linked Case : Crl.A./31/2025

RAJU MODAK
S/O LATE GOPAL MODAK

RESIDENT OF CHOTOGUMA
PS GOLAKGANJ

DIST DHUBRI ASSAM

VERSUS

THE STATE OF ASSAM
REP BY P P ASSAM

2:SANKAR KALITA
S/O LATE HEMEN KALITA

RESIDENT OF VILAGE SUNDARISAL
PS KAMALPUR
DIST. KAMRUP
ASSAM 781382

Advocate for : MR. A T SARKAR
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM

BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

Date : --13.03.2025

- 1.** Heard Mr. A.T. Sarkar, learned counsel for the applicant.
- 2.** This application under Section 430 of BNSS has been filed by the appellant/applicant praying for suspension of sentence which has been imposed on the applicant by Judgment & Order dated 23.12.2024 passed by learned Additional Sessions Judge (FTC), Rangia in Sessions Case no. 09/2018, whereby, the applicant was convicted under Section 376 of the Indian Penal Code and was sentenced to undergo rigorous imprisonment for 10 (ten) years and to pay a fine of Rs. 5,000/- and in default of payment of fine to undergo simple imprisonment for 1 (one) month.
- 3.** Issue notice to the respondents.

4. The applicant shall take steps for issuance of notice upon respondents by registered post with A/D as well as by usual mode within 7 (seven) days from the date of this order, returnable on 25.04.2025.

5. List accordingly.

JUDGE

Comparing Assistant