

GAHC010156342024



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

Case No. : Crl.A./243/2024

JAHABAJ CHOWDHURY
S/O LATE RAHUL CHOUDHURY,
R/O WARD NO. 19, FCI ROAD, P.S.- HOJAI, DIST.- HOJAI, ASSAM.

VERSUS

THE STATE OF ASSAM
TO BE REP. BY THE P.P., ASSAM.

Advocate for the Petitioner : MR H R A CHOUDHURY, MR. I U CHOWDHURY, MR. A AHMED

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

09.08.2024

1. Heard Mr. U.U. Khan, appearing on behalf of Mr. A. Ahmed, learned counsel for the appellant.

2. This application under Section 415(2) of BNSS, 2023 has been filed by the appellant, impugning the judgment and order dated 11.07.2024, passed by

the learned Sessions Judge, Kokrajhar, in Sessions Case No. T2/47/2022, whereby, the appellant was convicted under Section 376(1) of the Indian Penal Code, and was sentenced to undergo rigorous imprisonment for 10(ten) years and to pay a fine of Rs. 10,000/- and in default of payment of fine to undergo further simple imprisonment for 6 months.

3. This appeal is admitted.

4. Call for the Trial Court record.

5. Mr. B. Sarma, the learned Additional Public Prosecutor has already appeared for the respondent, no formal notice need to be issued to the said respondent.

6. The Registry shall take steps for requisitioning the Trial Court record.

7. Let this case be listed again after receipt of the Trial Court record by the Registry.

JUDGE

Comparing Assistant