

GAHC010187262025



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

Case No. : CRL.A(J)/159/2025

RABINDRA BISWAS
S/O, SRI SARASWATI BISWAS
R/O, VILL- MATABARI
P.O- CHENGA,
P.S- TARABARI
DIST- BARPETA
ASSAM

VERSUS

THE STATE OF ASSAM
REP. BY PP, ASSAM

2:MONEKA SARKAR
W/O
MITHUN SARKAR
VILL- BATGAON
P.S- TARABARI
DIST- BARPETA
ASSA

Advocate for the Petitioner : NIRMALA CHOUDHURY, MS. N CHOUDHURY

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

ORDER

18.12.2025

Heard Ms. N. Choudhury, learned counsel for the appellant and Mr. M.P. Goswami, learned Additional Public Prosecutor, Assam for the respondent State.

2. The present criminal appeal under Section 415[2], Bharatiya Nagarik Suraksha Sanhita [BNSS], 2023 is preferred against a Judgment and Order dated 30.04.2025 passed by the Court of learned Sessions Judge, Barpeta in Sessions Case no. 151/2024 [‘the Trial Court’, for short]. By the Judgment and Order dated 30.04.2025, the Trial Court has convicted the accused-appellant for the offence under Section 326, Indian Penal Code [IPC] and Section 307, IPC. For the offence under Section 326, IPC, the accused-appellant has been sentenced to undergo rigorous imprisonment for five years and to pay a fine of Rs. 3,000/-. For the offence under Section 307, IPC, the accused-appellant has been similarly sentenced to undergo rigorous imprisonment for five years, with same default stipulation. The sentences are ordered to run concurrently.

3. The criminal appeal is admitted for hearing.

4. Let the TCR be called for.

5. Issue notice, returnable on 11.02.2026.

6. As Mr. Goswami, learned Additional Public Prosecutor has appeared and accepted notice on behalf of the respondent State, issuance of formal notice to the respondent is dispensed with. The learned counsel for the appellant shall furnish an extra copy of the memo of appeal along with the annexures to Mr. Goswami within 2 [two] working days from today.

7. List the case on 11.02.2026.

JUDGE

Comparing Assistant