

GAHC010202452016



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

Case No. : Crl.A./94/2016

SRI SIBA PAUL @ SIBU PAUL and 2 ORS
S/O SRI PRATAP PAUL

2: PRATAP PAUL
S/O LATE ARJUN PAUL

3: PARIMAL PAUL
S/O SRI PRATAP PAUL
ALL ARE R/O VILL. GOBARDHAN
GHORAMARA JANPAM
P.S. PRAGJYOTISHPUR
DIST. KAMRUPM
ASSAM

VERSUS

THE STATE OF ASSAM and ANR

2:AJAY PAUL
S/O LATE SUBAL PAUL
R/O VILL. GOBARDHAN
GHORAMARA JANPAM
P.S. PRAGJYOTISHPUR
DIST. KAMRUP M
ASSAM

Advocate for the Petitioner : MR.S C BISWAS

Advocate for the Respondent : MR.R SARMAR-2

Linked Case : Crl.A./78/2016

SRI HARE KRISHNA PAUL
S/O LATE NITAI PAUL

R/O GOBARDHAN GHORAMARA
JANPAM
CHANDRAPUR
PIN 781150
UNDER PRAGJYOTISHPUR P.S. IN THE DIST. OF KAMRUP M
ASSAM.

VERSUS

THE STATE OF ASSAM and ANR

2:AJOY PAUL

S/O LATE SUBAL PAUL
R/O GOBARDHAN GHORAMARA
JANPAM CHANDRAPUR
PIN 781150
UNDER PRAGJYOTISHPUR POLICE STATION IN THE DIST. OF KAMRUP M
ASSAM.

Advocate for : MRS I AHMED

Advocate for : PP

ASSAM appearing for THE STATE OF ASSAM and ANR

Linked Case : CrI.A./50/2017

SRI BIPUL PAUL
S/O SRI ATUP PAUL
R/O VILL. GOBARDHAN
GHORAMARA
JANPAM
P.S. PRAGJYOTISHPUR
DIST. KAMRUP M
ASSAM.

VERSUS

THE STATE OF ASSAM and ANR

2:AJAY PAUL
S/O LATE SUBAL PAUL
R/O VILL. GHORAMARA JAMPAN
P.S. PRAGJYOTISHPUR
DISPUR

DIST. KAMRUP M
ASSAM.

Advocate for : MRK NAYAK
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM and ANR

Linked Case : CrI.A./50/2016

SRI NIRMAL PAUL and ANR
S/O LATE NARAYAN PAUL @ NITAI PAUL

2: SANJU PAUL
S/O LATE NARAYAN PAUL
BOTH ARE THE R/O VILL. GOBARDHAN
GHORAMARA JANPAM
P.S. PRAGJYOTISHPUR
DIST. KAMRUP M
VERSUS

THE STATE OF ASSAM and ANR

2: AJOY PAUL
S/O LATE SUBAL PAUL
THE R/O VILL. GOBARDHAN
GHORAMARA JANPAM
P.O. CHANDRAPUR
P.S. PRAGJYOTISHPUR
GUWAHATI 781105
DIST. KAMRUP M
ASSAM

Advocate for : MR. B I KHAN
Advocate for : MR. A D CHOUDHURY R-2 appearing for THE STATE OF ASSAM
and ANR

BEFORE
HONOURABLE MR. JUSTICE N. KOTISWAR SINGH
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

Date : 10.08.2022

(N. Kotiswar Singh, J.)

Heard Mr. N. Ahmed, learned counsel for the appellants in CrI. A. 50/2016 and CrI. A.

78/2016 and Mr. S.C. Biswas, learned counsel for the appellants in Crl. A. 94/2016.

As regards the other appeal, namely, Crl. Appeal No.50/2017 (*Bipul Paul Vs. State of Assam and another*), the counsel whose names have been recorded in the cause-list are as under:-

Mr. K. Nayak,

Mr. I.C. Deka

Mr. T. Kalita.

It is submitted at the Bar that Mr. K. Nayak is no more.

Under the circumstances, this Court directed the Court-staff to ascertain from Mr. I.C. Deka, learned counsel and Mr. T. Kalita, learned counsel, as to whether they will be appearing for the appellant, Bipul Paul. However, it is reported that files have been taken away from them. Accordingly, the appellant, Bipul Kalita, has remained unrepresented today.

Since it is an appeal arising out of conviction and the appellant is required to be heard, we have requested Mr. N. Ahmed, learned counsel, who is appearing for other co-appellants arising out of the same judgment and order to represent the appellant Bipul Paul, which he has readily agreed. We appreciate the same.

Accordingly, Mr. N. Ahmed, learned counsel, will represent the appellant, Bipul Paul, as *amicus curiae*.

Hearing will continue on 22.08.2022.

JUDGE

JUDGE

Comparing Assistant