

GAHC010252322022



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

**Case No. : CrI.A./335/2022**

MOSTAFIZUR RAHMAN @ MUSTAKIN @ KHUJU  
S/O BANISH UDDIN,  
VILL.- BORABALU,  
P.O.- HAJIRHAT,  
P.S.- SUKCHAR,  
DIST.- SOUTH SALMARA MANKACHAR, ASSAM, PIN- 783128.

VERSUS

THE STATE OF ASSAM AND ANR.  
REP. BY P.P., ASSAM.

2:ABED HUSSAIN  
S/O MOFFIUL HOQUE  
VILL.- BORABALU  
P.O.- HAJIRHAT  
P.S.- SUKCHAR  
DIST.- SOUTH SALMARA MANKACHAR  
ASSAM  
PIN- 783128

**Advocate for the Petitioner** : MR. S C BISWAS, MR. D BORA,MR. N MAHAJAN,MR. P K DAS,MR. A CHAUDHURY,MS A BORAH,MRS R BEGUM,MS. J GHOSH,MR P KATAKI

**Advocate for the Respondent** : PP, ASSAM,

**BEFORE**  
**HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI**  
**HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA**

**ORDER**

**06-01-2025**

*(S. K. Medhi, J)*

Heard Shri D. Bora, learned counsel for the appellant. Also heard Ms. B. Bhuyan, learned Senior Counsel and APP, Assam, who has placed on record the communication exchanged with regard to service of notice upon the respondent no. 2.

On perusal of the same, the service is held to be complete.

Copies of the communications are made part of the records.

Since the respondent no. 2 has not appeared till now, this Court appoints Shri Atal Tewari, learned Amicus Curiae to represent the respondent no. 2.

Let copies of the relevant documents be furnished to the learned Amicus by the Office and his name may be reflected in the Cause List forthwith.

**JUDGE**

**JUDGE**

**Comparing Assistant**