

GAHC010276942023



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

Case No. : Crl.Pet./1300/2023

ANGSHU RAJKUMAR
S/O LATE BHAGYACHANDRA RAJKUMAR,
R/O VILL- ALGAPUR, P.O. RAJNAGAR, P.S. SILCHAR,
IN THE DISTRICT OF CACHAR, ASSAM, PIN-788026

VERSUS

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

2:MD. RIYAJ UDDIN
S/O ABDUL MUKTADIR
R/O P.O
VILL AND P.S. BAZARICHEERA
IN THE DISTRICT OF KARIMGANJ
ASSA

Advocate for the Petitioner : M K BORAH, MS. P. KASHYAP

Advocate for the Respondent : PP, ASSAM, MR. A AHMED (R-2),MR. U U KHAN (R-2),MR. A AHMED (R-2)

**BEFORE
HONOURABLE MR. JUSTICE MANASH RANJAN PATHAK**

ORDER

02-09-2024

Heard Mr. K Borah, learned counsel for the petitioner and Ms. S Jahan, learned Additional Public Prosecutor, Assam for the State respondent No.1. Also heard Mr. A Ahmed, learned counsel for the respondent No.2.

In support of his arguments, Mr. K Borah, learned counsel for the petitioner has relied on a decision of the Hon'ble Apex Court in the case of *Rakesh Kumar Mishra -Vs- State of Bihar & Others*. reported in (2006) 1 SCC 557, whereas Mr. A Ahmed, learned counsel for the respondent No. 2 relied on a decision of a Co-ordinate Bench of this Court in the case of *Abdul Karim -Vs- State of Assam and Another (Criminal Appeal No. 421/2022)*, decided on 16.05.2024.

Call for the scanned legible copy of the case records of C.R. Case No. 465/2016 from the Court of the learned Additional Chief Judicial Magistrate, Kamrup (Metro), Assam.

List on **23.09.2024**.

Till then, i.e., 23.09.2024, interim order passed earlier on 13.12.2023 shall remain in force.

JUDGE

Comparing Assistant