

GAHC040004592023



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

**Case No. : CRL.A(J)/7/2023**

Vijay Borah  
S/o Shri Biren Borah, R/o Vill Simulguri, PO/PS Bihpuria, District Lakhimpur,  
Assam Presently lodging at District Jail Jolly Itanagar.

VERSUS

THE STATE OF AP and Anr.  
Represented by the Public Prosecutor                      2:Hura Tanam  
Age: 0  
Occupation :  
D/o Late Hura Tashi  
Permanent Resident of Village Palin  
PO/PS Sangram  
District Kurung Kumey  
Arunachal Pradesh. Present Address C/o Smti Nabam Ruby  
W/o Shri Nabam Haching  
R/o C Sector Nirjuli  
PO Naharlagun  
PS Nirjuli District Papumpare  
Arunachal Pradesh

**Advocate for the Petitioner** : Jumgam Jini, Amicus Curiae

**Advocate for the Respondent** : P P of AP, Legal Aid Counsel, Hinti Jeram

**BEFORE**  
**HONOURABLE MR. JUSTICE KARDAK ETE**  
**HONOURABLE MRS. JUSTICE SHAMIMA JAHAN**

**ORDER**

**Date : 01.07.2025.**

**(Kardak Ete, J)**

Heard Mr. J. Jini, learned Amicus Curiae for the appellant.

This appeal is directed against the judgment and order dated 20.04.2018, passed by the learned Sessions Judge, Yupia, in Sessions Case No.05/2014, under Section 376-D of the IPC, 1860, whereby three persons, namely, Techitater, Giogi Rock and Vijay Borah (appellant herein) have been convicted and sentenced to undergo rigorous imprisonment for twenty (20) years and to pay a fine of Rs.5,000/- (Rupees five thousands) each, in default to go further rigorous imprisonment for six months.

The appeal is admitted.

Call for the LCR.

Ms. L. Hage, learned Addl. P.P., Arunachal Pradesh appears for the State and Ms. H. Jeram, learned Legal Aid Counsel for respondent No.2 is also present.

List the matter after three (3) weeks.

JUDGE

JUDGE

**Comparing Assistant**