

Page No.# 1/7 vs Ram Sankar Maurya on 21 February, 2023

Author: M. Zothankhuma

Bench: Michael Zothankhuma, Malasri Nandi

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GAHC010063702022

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

Case No. : CrI.Pet./284/2022

THE STATE OF ASSAM AND ANR
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

2: KUMUD CHANDRA TALUKDAR
S/O- LATE KANAK CHANDRA TALUKDAR
R/O- VILL.- HATKHOLA
P.S. SALBARI
DIST. BAKSA (BTR)
PIN- 781318
ASSAM AND PRESENTLY SERVING AS SUB-INSPECTOR
ASSAM POLICE AND INVESTIGATING OFFICER IN BIJNI P.S. CASE NO.
24/2022 UNDER SECTIONS 120-B/379/411/420/468 OF THE INDIAN PENAL
CODE
1860

VERSUS

RAM SANKAR MAURYA
S/O- SHRI JAIRAM MAURYA, R/O- ATHGAON, P.S. BHARALUMUKH, DIST.
KAMRUP(M), PIN- 781001, ASSAM

Advocate for the Petitioner : MR. P N GOSWAMI

Advocate for the Respondent : MS M DAS

Linked Case : CrI.Pet./213/2022

THE STATE OF ASSAM AND ANR

REP. BY THE PP
ASSAM

2: SRI BILAL UDDIN BARBHUIYA
SON OF LATE HAJI TAJAMUL ALI BARBHUIYA
R/O RAMNAGAR PART-IV
P.O. TARAPUR KHELMA
DIST. CACHAR
PIN-788003
ASSAM AND PRESENTLY SERVING AS SUB-INSPECTOR
ASSAM POLICE AND INVESTIGATING OFFICER IN LALA P.S. CASE NO
493/2021 UNDER SECTIONS 397/411 OF THE INDIAN PENAL CODE
1860.
VERSUS

KAMRUL ISLAM MAZUMDAR
SON OF LATE FAIZUR RAHMAN MAZUMDAR
R/O CHANDRAPUR
P.S.LALA
P.O. LALA
DIST. HAILAKANDI
ASSAM
PIN-788163

Advocate for : MR. P N GOSWAMI
Advocate for : MR H R A CHOUDHURY appearing for KAMRUL ISLAM
MAZUMDAR

Linked Case : CrI.Pet./505/2022

THE STATE OF ASSAM
REP. BY COMMISSIONER AND SECRETARY
GOVT. OF ASSAM
HOME AND POLITICAL DEPARTMENT
DISPUR-6.

VERSUS

ANOWAR HUSSAIN LASKAR @ MONAI
S/O ALIMUDDIN LASKAR
R/O VILL- NORTH HAWAITHANG
P.S. DHOLAI
CACHAR

ASSAM

Advocate for : PP
ASSAM

Advocate for : MR. N H BARBHUIYA appearing for ANOWAR HUSSAIN LASKAR
@ MONAI

Linked Case : CrI.Pet./517/2022

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

2: SRI MRINAL KUMAR DAS
S/O LATE PUSPA RAM DAS

R/O BHOTNATH ROAD
BHARALAMUKH
GUWAHATI
PIN-781009
DIST. KAMRUP (M)
ASSAM

AND PRESENTLY SERVING AS INSPECTOR
ASSAM POLICE AND OFFICER-IN-CHARGE OF ALGAPUR P.S. AS WELL AS
INVESTIGATING OFFICER
IN ALGAPUR P.S. CASE NO. 377/2021 UNDER SECTIONS 379/411 OF THE
INDIAN PENAL CODE.
VERSUS

SMT. SOMA PAUL
W/O ANJAN KUMAR PAUL

R/O VILL- ALGAPUR PART-I
P.O. KALIBARI BAZAR
P.S. ALGAPUR
DIST. HAILAKANDI
ASSAM
PIN-788150

Advocate for : MR. P N GOSWAMI
Advocate for : MR Z KAMAR appearing for SMT. SOMA PAUL

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Linked Case : CrI.Pet./642/2022

THE STATE OF ASSAM AND ANR

REPRESENTED BY THE PUBLIC PROSECUTOR
ASSAM

2: ISMAIL HUSSAIN
S/O- LATE ATAR ALI
R/O- VILL.- BURINAGAR
P.S. AND DIST. NALBARI
ASSAM AND PRESENTLY SERVING AS ASSISTANT SUB-INSPECTOR
ASSAM POLICE AND INVESTIGATING OFFICER IN SERFANGURI P.S. CASE
NO. 09/2022 UNDER SECTIONS 273/420/34 OF THE INDIAN PENAL CODE.
VERSUS

MD. SHAMSUZZAMAN SHEIKH
S/O- LATE MOHAMMAD ALI
R/O- KRISHNAI
IN FRONT OF KRISHNAI POLICE STATION
P.O. AND P.S. KRISHNAI
DIST. GOALPARA
ASSAM

Advocate for : MR. M PHUKAN
Advocate for : MR N M HAZARIKA appearing for MD. SHAMSUZZAMAN
SHEIKH

Linked Case : CrI.Pet./641/2022

THE STATE OF ASSAM AND ANR
REPRESENTED BY THE P.P.
ASSAM

2: SUSIL CHETRY
S/O- JIT BAHADUR CHETRY
R/O- VILL.- KUMALIA
P.S. BISWANATH CHARIALI
DIST. BISWANATH
ASSAM AND PRESENTLY SERVING AS SUB-INSPECTOR
ASSAM POLICE AND INVESTIGATING OFFICER IN SERFANGURI P.S. CASE
NO. 13/2022 UNDER SECTIONS 273/420/34 OF THE IPC READ WITH SECTION
59(III) OF THE FOOD SAFETY AND STANDARD ACT

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2006.
VERSUS

MD. IMTHIAZ KHAN
S/O- KARIMULLAH KHAN
R/O- VILL.- PUANGANUR
P.O. AND P.S. CHITTOR
ANDHRAPRADESH.

Advocate for : MR. P N GOSWAMI
Advocate for : MR. A SARMA appearing for MD. IMTHIAZ KHAN

Linked Case : CrI.Pet./356/2022

THE STATE OF ASSAM AND ANR
REP. BY THE PUBLIC PROSECUTOR
ASSAM

2: TH. CHINGLEN SINGH
S/O LATE NINGTHOU SINGHA

R/O VILL- THANGJAM LEIKAI
P.S. SONAI
DIST. CACHAR
PIN-788119
ASSAM AND PRESENTLY SERVING AS SUB-INSPECTOR
ASSAM POLICE AND INVESTIGATING OFFICER IN LALA P.S. CASE NO.
848/2021 UNDER SECTIONS 376/411 OF THE INDIAN CODE.
VERSUS

FAKRUL HAQUE LASKAR
SON OF HAZI RASHID AHMED
LASKAR
R/O VILL- SAHABAD PART-1
P.S. LALA
DIST. HAILAKANDI
ASSAM

Advocate for : MR. P N GOSWAMI
Advocate for : MR N DASGUPTA (r-1) appearing for FAKRUL HAQUE LASKAR

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Linked Case : CrI.Pet./358/2022

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

2: TH. CHINGLEN SINGH
SON OF LATE NINGTHOU SINGHA
R/O VILL- THANGJAM LEIKAI
P.S. SONAI DIST. CACHAR
PIN-788119
ASSAM AND PRESENTLY SERVING AS SUB-INSPECTOR

ASSAM POLICE AND INVESTIGATING OFFICER IN LALA P.S. CASE NO.
849/2021 UNDER SECTIONS 379/411 OF THE INDIAN PENAL CODE.
VERSUS

SAHIDUL ALOM LASKAR
SON OF HAZI GULEY AHMED
LASKAR
R/O VILL- SAHABAD PART-I
P.O. SAHABAD
P.S. LALA
DIST. HAILAKANDI
ASSAM

Advocate for : MR. P N GOSWAMI
Advocate for : MR N DASGUPTA appearing for SAHIDUL ALOM LASKAR

BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

21.02.2023 (M. Zothankhuma, J) Heard Mr. P.N. Goswami, learned Additional Advocate General for the State. Also heard Mr. Z. Kamar, learned Senior Counsel assisted by Mr. N.H. Barbhuiya, learned counsel for the respondent in Crl. Pet. No. 505/2022 and Cr. Pet. No. Page No.# 7/7 517/2022; Mr. P.J. Saikia, learned Senior Counsel assisted by Mr. A.K. Gupta, learned counsel for the respondent in Crl. Pet. No. 356/2022 and Crl. Pet. No. 358/2022; Mr. M. Biswas, learned counsel for the respondent in Crl. Pet. No. 284/2022; Mr. A. Sarma, learned counsel for the respondent in Crl. Pet. No. 641/2022 and Mr. A. Duarah, learned counsel for the respondent in Crl. Pet. No. 642/2022.

Hearing concluded Judgment reserved.

JUDGE

JUDGE

Comparing Assistant