GAHC010287452025

2026:GAU-AS:9743

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

Case No. : I.A.(Crl.)/697/2026

DIGANTA RABHA
S/O MOHAN RABHA, R/O VILL- CHAMUAGAON, P.S.- ORANG, DIST- UDALGURI, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. S BISWAS (LEGAL AID COUNSEL),

Advocate for the Respondent : PP, ASSAM,

Linked Case : ST.Rev./0/0

Diganta Rabha
Vill-Chamuagaon
P.S.-Orang
District-Udalguri
Assam

VERSUS

The State of Assam
Represented by PP

Assam

Advocate for : DEEPSIKHA DEVI
Advocate for : appearing for The State of Assam

Linked Case : EC/0/0

Diganta Rabha
Vill-Chamuagaon
P.S.-Orang
District-Udalguri
Assam

VERSUS

The State of Assam
Represented by PP
Assam

Advocate for : DEEPSIKHA DEVI
Advocate for : appearing for The State of Assam

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

16.07.2026

Learned Legal Aid Counsel, Mr. S. Biswas is present for the applicant and prays for condonation of delay of the connected appeal preferred by the applicant, Diganta Rabha.

2. The applicant has been convicted under Section 304 Part-II of the IPC to undergo **Rigorous Imprisonment (R.I) for 10(ten) years** and **to pay a**

fine of Rs.2000/- and in default of payment of fine to suffer Simple Imprisonment (S.I) for 1(one) month in connection with Sessions Case No.32/2022, passed by the learned Additional Sessions Judge, Udalguri.

3. It is submitted on behalf of the applicant/appellant that the applicant could not prefer the appeal within time as he is in the Jail.

4. I have considered the submission that this is an appeal from the Jail and the cause of delay has been sufficiently explained. No mala fide is discernible on the part of the applicant/appellant. Accordingly, the delay of 145 days is hereby **condoned**.

5. Registry to register the connected appeal.

6. The I.A stands disposed of accordingly.

JUDGE

Comparing Assistant