

Man's loses bid to serve concurrent jail sentences for raping minor



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KUCHING: The Court of Appeal here has dismissed a labourer's appeal against the consecutive running of prison sentences imposed on him in 2024 over the conviction of raping and sexually assaulting a 14-year-old girl.

A three-member bench comprising Justices Dato Dr Alwi Abdul Wahab, Dato Ahmad Kamal Md Shahid and Muniandy Kannyanan yesterday unanimously ruled that there was no merit in the appeal by Bolhasan Hashim, 38, holding that the consecutive sentences imposed by the Sessions Court were proportionate.

Bolhasan had sought an order for the sentences to run concurrently instead of consecutively.

The appellant was previously sentenced by Sessions Court Judge Saiful Bahari Adzmi to eight-year imprisonment and two strokes of the cane on each rape charge under Section 376(1) of the Penal Code.

He was also sentenced to six-year jail and one stroke of the cane under Section 14(b) of the Sexual Offences Against Children Act 2017.

The sentences, totalling 22-year imprisonment and five strokes of the cane, were ordered to run consecutively.

Bolhasan's appeal to the High Court was partially allowed on Feb 19, 2025 when Judge Dato Faridz Gohim Abdullah reduced the total prison term to 16 years,



Bolhasan is led away after the proceedings.

while maintaining the order that the sentences run consecutively.

Deputy public prosecutor Atiqah Abdul Karim appeared for the prosecution, while counsel Simon Siah represented the appellant.

According to the earlier charges, Bolhasan raped the victim at about noon in early November 2022 and again at about 5pm on Nov 10, 2022, at a housing area in Petra Jaya here.

He was also charged with sexually assaulting the victim at about 10pm on Nov 10, 2022 at a village in Petra Jaya.

According to the facts of the case, on Dec 7, 2022, the victim was referred to a doctor after complaining of abdominal pain. During the examination, she disclosed that she had been

raped by Bolhasan.

Following the victim's disclosure, the attending doctor lodged a police report, prompting further investigation.

On the same day, the victim's elder sister also lodged a police report after the victim told her that she had been raped and sexually assaulted.

The police reports led to Bolhasan's arrest on Dec 8, 2022.

Police investigations subsequently confirmed Bolhasan's involvement in the offences, leading to his prosecution.

During the trial, the prosecution called seven witnesses, namely two doctors, the victim, her elder sister, and three police officers.