

Man gets 22 years, five lashes for rape, sexual assault of minor



Desiree David

desiree@theborneopost.com

KUCHING: The Sessions Court here yesterday sentenced a 36-year-old man to a total of 22 years in jail and five strokes of the rotan for two charges of rape and one count of sexual assault against a then 14-year-old girl.

Judge Saiful Bahari Adzmi imposed the sentence on Bolhasan Hashim after finding him guilty of the three charges at the end of the defence's case.

Bolhasan was found guilty of two counts of rape under Section 376(1) of the Penal Code, which provides for an imprisonment term of up to 20 years, or caning, upon conviction.

He was also found guilty of sexual assault under Section 14(b) of the Sexual Offences Against Children Act (Soaca) 2017, punishable under Section 14 of the same Act, which carries up to 20 years' jail and caning upon conviction.

For the first two charges, he was sentenced to eight years and two strokes of the rotan each,



Police escort Bolhasan after sentencing.

while for the third charge, he was sentenced to six years in jail and one stroke of the rotan.

The judge ordered for the jail sentences to run consecutively and for Bolhasan to undergo rehabilitative counselling pursuant to Section 26 of Soaca throughout his detention.

Bolhasan was also ordered to immediately undergo police supervision for two years after completing his sentence.

According to the first and second charges, Bolhasan raped the victim in early November 2022 at around 12pm and again on Nov 10, 2022 at around 5pm at

a park in Petra Jaya here.

According to the third charge, he sexually assaulted the victim at a village in Petra Jaya at around 10pm on Nov 10, 2022.

Based on the facts of the case, on Dec 7, 2022, the victim was referred to a doctor after she suffered abdominal pain and upon the doctor's inquiry, the victim said she had been raped by Bolhasan.

The doctor lodged a police report for further investigation.

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

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

The investigation revealed that Bolhasan had raped the victim multiple times in November 2022 at a park in Petra Jaya.

He also sexually assaulted the victim by inserting his private part into her mouth.

The case saw seven witnesses – two doctors, the victim, the victim's sister, and three police officers – called to the stand.

DPP Mohammad Fauzan Zamri prosecuted the case, while Bolhasan was unrepresented by legal counsel.