

GAHC010028832026



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

Case No. : I.A.(CrI.)/192/2026

RABI MAJHI
S/O LATE BANDHU MAJHI, R/O BORGLOI JAMADAR BASTI, P.S.
MARGHERITA, DISTRICT TINSUKIA, ASSAM

VERSUS

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

2:NASIR HUSSAIN
S/O LATE ABDUL HAFIZ
R/O BORGOLAI JAMADAR BASTI
P.S. MARGHERITA
DIST. TINSUKIA
ASSAM

Advocate for the Petitioner : MS. M K BROWN,

Advocate for the Respondent : PP, ASSAM,

Linked Case : ST.Rev./0/0

SRI RABI MAJHI
S/O LATE BANDHU MAJHIR/O BORGLOI JAMADAR BASTI.P.S.
MARGHERITADISTRICT TINSUKIAASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP
ASSAM

Advocate for : MANISHA KAREN BROWN
Advocate for : appearing for THE STATE OF ASSAM

**BEFORE
HON'BLE MRS. JUSTICE MITALI THAKURIA**

O R D E R

Date : 27.02.2026.

Heard Ms. M.K. Brown, learned Amicus Curiae appearing for the applicant/appellant. Also heard Mr. P.S. Lahkar, learned Addl. P.P., Assam appearing on behalf of the State respondent No.1.

This is an application Section 5 of the Limitation Act, 1963 for condonation of delay of 343 days, in filing the connected Criminal Appeal against the judgment and order dated 27.12.2024, passed by the learned Special Judge (POCSO), Tinsukia in POCSO Case No.40/2023, convicting the applicant/appellant to undergo R.I. for five (5) years and fine of Rs.10,000/- with default stipulation.

Issue notice to the respondents, returnable in two (2) weeks.

Since Mr. Lahkar, the learned Addl. P.P., Assam has entered appearance and accepted notice on behalf of the State respondent No. 1, no formal notice is required to be issued to the said respondent. However, he shall be provided with requisite extra-copy of the application during the course of the day.

Issue notice upon the respondent No.2, through the office of the Public Prosecutor, by routing the same through the Registry.

List the matter after three (3) weeks, on a date to be fixed by the Registry.

JUDGE

Comparing Assistant