

GAHC010058372025



undefined

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

**Case No. : Crl.A./211/2025**

MAHIDUL ISLAM  
S/O. RUSTAM ALI, R/O. VILL.- NO. 1 NAHARBARI, P/S. MAZBAT, DIST.  
UDALGURI, BTR, ASSAM.

VERSUS

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

2:SANTOSH LOKANDRI  
S/O. LT. RUDRABIR LOKANDARI  
R/O. VILL.- DHANSIRI TEA ESTATE  
P/S. MAZBAT  
DIST. UDALGURI  
ASSAM

**Advocate for the Petitioner** : MR. K ISLAM, MR T H HAZARIKA,MR A RASHID,MR M CHETIA

**Advocate for the Respondent** : PP, ASSAM,

**BEFORE**  
**HONOURABLE MR. JUSTICE MANISH CHOUDHURY**  
**HONOURABLE MRS. JUSTICE MITALI THAKURIA**

**ORDER**

**13.06.2025**

[Manish Choudhury, J]

Heard Mr. T.H. Hazarika, learned counsel for the applicant-appellant and Mr. R.R. Kaushik, learned Additional Public Prosecutor, Assam for the opposite party no. 1.

2. This criminal appeal under Section 430[2], Bharatiya Nagarik Suraksha Sanhita [BNSS], 2023 is directed against a Judgment dated 17.01.2025 and an Order on sentence dated 20.01.2025 passed by the Court of learned Special Judge, Udalguri in Special POCSO Case no. 159/2024, arising out of Mazbat Police Station Case no. 30/2024. By the Judgment and Order, the applicant-appellant has been convicted for the offence under Section 365, IPCC, Section 305, IPC and Section 6 of the POCSO Act. For the offence under Section 6 of the POCSO Act, the applicant-appellant has been sentenced to undergo rigorous imprisonment for life and to pay a fine of Rs. 20,000/- with default stipulation. For the other offences, different terms of sentence have been imposed upon the accused-appellant.

3. Issue notice, returnable in 4 [four] weeks.

4. As Mr. Kaushik, learned Additional Public Prosecutor, Assam has appeared and accepted notice on behalf of the opposite party no. 1, issuance of formal notice to the opposite party no. 1 stands dispensed with. The learned counsel for the applicant-appellant shall furnish an extra copy of the memo of appeal along with annexures, to Mr. Kaushik within 2 [two] working days from today.

5. The applicant-appellant shall take steps for service of notice upon the opposite party no. 2/informant, in terms of the Practice Direction laid down in the Notification no. 17 dated

15.03.2024.

6. The learned Additional Public Prosecutor shall obtain a report from the Officer In-Charge, Mazbat Police Station as regards the service of notice upon the opposite party no. 2/informant and place the same before this Court by the next date of listing.

7. The learned Additional Public Prosecutor shall make endeavour to file objection on behalf of the State before the next date of listing.

8. List the case after 4 [four] weeks.

**JUDGE**

**JUDGE**

**Comparing Assistant**