

GAHC010278892024



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

Case No. : Crl.A./126/2025

SRI SARAT LIKSON
S/O- LATE NABIN LIKSON,
R/O- BAKSU MOUPIA GAON,
P.O. AND P.S- SIVASAGAR,
DIST.- SIVASAGAR, ASSAM

VERSUS

THE STATE OF ASSAM AND ANR
REPRESENTED BY THE PUBLIC PROSECUTOR

2:BISWAJIT DAS
S/O- TILAK DAS.
R/O- BAKSU KHELUA KOIBARTA GAON

P.O. AND P.S - SIVASAGAR
DIST.- SIVASAGA

Advocate for the Petitioner : MS. P BORAH, MR K. GOGOI

Advocate for the Respondent : PP, ASSAM,

Linked Case : I.A.(Crl.)/358/2025

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Advocate for : MS. P BORAH
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM AND ANR

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

21.04.2025

Heard Ms. P. Borah, learned counsel for the appellant. Also heard Mr. P. Borthakur, learned Additional Public Prosecutor for the State.

This is an appeal under Section 415/430 of BNSS, 2023, against the judgment and order dated 24.10.2024, passed by the Addl. Sessions Judge Cum Special Judge (POCSO), Sivasagar in Special (POCSO) Case No.70/2023, whereby the accused/appellant was convicted u/s 10 of

Protection of Children from Sexual Offences Act and sentenced to undergo R.I. for a period of 5 years and also to pay a fine of Rs.5000/- (Rupees five thousand only).

Appeal is admitted.

As Mr. P. Borthakur, learned Additional Public Prosecutor has entered appearance on behalf of the State respondent No.2, a copy of the petition along with the documents annexed thereto be furnished to him during the course of the day.

Issue notice upon the respondent No.2.

The present application is arising out of the POCSO Act, accordingly, in view of the above facts and in terms of the judgment of this Court passed in Dipak Nayak vs. State of Assam [Criminal Appeal(J) 40/2022], notice be issued to the victim/guardian of the victim/informant through the O.C., of concerned Police Station.

The petitioner shall submit a copy of the petition to the Registry of this Court, who shall furnish the same to the learned Additional Public Prosecutor. The learned Additional Public Prosecutor shall thereafter forward the same to the O.C. of concerned P.S., who shall serve the same to the victim/guardian of the victim/informant. The O.C. of concerned P.S. shall thereafter give a report of service of the petition/notice to this Court.

Call for the trial court record pertaining to Special (POCSO) Case No.70/2023.

The Registry is directed to procure the same.

List after 2 (two) weeks.

JUDGE

Comparing Assistant