

GAHC010111232023



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

Case No. : CRL.A(J)/68/2023

BIJAY DAS
S/O DHIREN DAS,
VILL.- GOSHAIBANI, HIRAPARA,
P.S.- MATIA, DIST.- GAOLPARA, PIN- 783125.

VERSUS

THE STATE OF ASSAM AND ANR.
REP. BY THE P.P.

2:INFORMANT
CHITRA DAS
W/O-LATE DINESH DAS
GOSAIBARI HIRAPARA
P.S.- MATIA
DISTRICT- GOALPARA
ASSA

Advocate for the Petitioner : MS S SARMA HAZARIKA, LEGAL AID COUNSEL,

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI

ORDER

Date : 09.08.2024

[Manish Choudhury, JJ]

The learned Legal Aid Counsel for the appellant is found absent today on call.

Ms. A. Begum, learned Additional Public Prosecutor for the respondent no. 1, State of Assam is present.

When notice were earlier issued to the respondent no. 1 for service at an address within the territorial jurisdiction of Matia Police Station, District- Goalpara, the said notice returned back with a report dated 29.07.2024 of the Officer In-Charge, Matia Police Station, District- Goalpara that the respondent no. 2 could not be found at the said address. The report further mentioned that when the matter was enquired with the neighbours, it could be known that the respondent no. 2 has been residing at Guwahati for a long time.

On perusal of the case records, we find that when the informant testified as prosecution witness no. 2 on 21.07.2022, she mentioned her address as 'Madhabdeb Path, Durgasrabar Hill Side, Police Station- Bharalumukh, Guwahati, District - Kamrup [Metro], Assam'. Taking note of the same, we request the learned Additional Public Prosecutor to take steps for service of notice upon the respondent no. 2 at the afore-mentioned address through the Officer In-Charge, Bharalumukh Police Station, Guwahati.

List the case after 4 [four] weeks to enable the learned Additional Public Prosecutor to obtain a report as regards service of notice upon the respondent no. 2 at the aforementioned address from the Officer In-Charge, Bharalumukh Police Station at Guwahati.

JUDGE

JUDGE

Comparing Assistant