

GAHC010139512022



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

Case No. : I.A.(Crl.)/351/2022

DHIRAJ KUMAR KAKATI
S/O LATE HARICHANDRA KAKATI,
RESIDENT OF VILLAGE GAJIA, PS AND DIST BARPETA, ASSAM

VERSUS

THE STATE OF ASSAM AND ANR.
REPRESENTED BY PP ASSAM

2:SAYA DAS
W/O DIPAK DAS
RESIDENT OF VILLAGE GAJIA
PS AND DIST BARPETA
ASSA

Advocate for the Petitioner : MR. A M BORA

Advocate for the Respondent : PP, ASSAM

Linked Case : Crl.A./137/2022

DHIRAJ KUMAR KAKATI
S/O HARICHANDRA KAKATI

RESIDENT OF VILLAGE GAJIA
PS AND DIST BARPETA
ASSAM

VERSUS

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2:SAYA DAS

W/O DIPAK DAS

RESIDENT OF VILLAGE GAJIA
PS AND DIST BARPETA
ASSAM

Advocate for : MR. A M BORA
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM AND ANR.

**BEFORE
HONOURABLE MRS. JUSTICE MITALI THAKURIA
ORDER**

19.07.2023

Heard Mr. D. K. Baidya, learned counsel for the applicant/appellant. Also heard Ms. A. Begum, learned Additional Public Prosecutor representing the State respondent.

The learned Additional Public Prosecutor has submitted that the Status Report of the accused applicant/appellant has been received. As per the Status Report, the present health condition of the accused applicant/appellant is stable. Further, she has also submitted that the service upon the respondent No.2 has not yet been completed, who is the necessary party of this instant petition as being the POCSO Case.

It is also seen that there is no such Office Note regarding the service of notice taken or not upon respondent No.2.

In view of above, the learned counsel for the applicant/appellant is hereby directed to take fresh steps for service of notice upon respondent No. 2 through jurisdictional Police Station.

In addition to that, as prayed for, the learned counsel for the applicant/appellant is also allowed to take steps by *Dasti* mode of service, which shall be routed through the Registry of this Court. After service of such notice, an affidavit to that effect shall be filed.

List the matter after **3(three) weeks**.

JUDGE

Comparing Assistant