

GAHC010186712025



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

Case No. : CrI.A./333/2025

DIDARUL ISLAM AND ANR.
S/O. KUTUB UDDIN, VILL.- TARANIPUR, P/S. KATIGORAH, DIST. CACHAR,
ASSAM, PIN-788805.

2: BAHAR UDDIN BARBHUIYA @ BAHAR UDDIN
S/O. LT. FARUK UDDIN
R/O. VILL.- GOBINDAPUR
P/S. KATIGORAH
DIST. CACHAR
ASSAM PIN-78810

VERSUS

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

2:PIJUSH DAS
S/O. LT. BRAJENDRA DAS
R/O. VILL.- NAZATPUR
P/S. KATIGORAH
DIST. CACHAR
ASSAM PIN-788805

Advocate for the Petitioner : MR. A ISLAM, MR. L R MAZUMDER

Advocate for the Respondent : PP, ASSAM,

Linked Case : I.A.(CrI.)/936/2025

DIDARUL ISLAM AND ANR.
S/O. KUTUB UDDIN
VILL.- TARANIPUR
P/S. KATIGORAH
DIST. CACHAR

ASSAM PIN-788805.

2: BAHAR UDDIN BARBHUIYA @ BAHAR UDDIN
S/O. LT. FARUK UDDIN
R/O. VILL.- GOBINDAPUR
P/S. KATIGORAH
DIST. CACHAR
ASSAM PIN-788101

VERSUS

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

2:PIJUSH DAS
S/O. LT. BRAJENDRA DAS
R/O. VILL.- NAZATPUR
P/S. KATIGORAH
DIST. CACHAR
ASSAM PIN-788805.

Advocate for : MR. A ISLAM

Advocate for : PP

ASSAM appearing for THE STATE OF ASSAM AND ANR

BEFORE
HON'BLE MRS. JUSTICE MITALI THAKURIA

ORDER

03-09-2025

Heard Mr. L. R. Mazumdar, learned counsel for the appellants and Mr. M. P. Goswami, learned Additional Public Prosecutor, for the State respondent.

This is application under Section 415 of the BNSS, 2023 against the impugned judgment and order dated 17.07.2025, passed by the learned Special Judge (P), Cachar, Silchar in Special (POCSO) Case Case No. 203/2024, whereby the appellants were convicted under Section 506 IPC and sentenced them to undergo R. I. for 6 (six) months with fine of Rs.1,000/- each, and further to

undergo R.I. for 5 (five) years with fine of Rs. 20,000/- each for the offence committed under Section 8 of the POCSO Act, with default stipulation.

Issue notice.

Since Mr. M. P. Goswami, learned Additional Public Prosecutor, has entered appearance and accepted notice on behalf of 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 appeal, if not already furnished, during the course of the day.

Appellant side to take steps for service of notice upon respondent No. 2 by registered post with A/D as well as through usual process within a week from today.

In addition to that, the appellants are also hereby allowed to take steps through the Officer-In-Charge of the concerned Police Station, which shall be routed through the Registry as well as the Office of the Public Prosecutor.

Call for the TCR.

List the matter after 4 (four) weeks.

JUDGE

Comparing Assistant