

GAHC010208752025



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

Case No. : Crl.A./371/2025

JAKIR HUSSAIN AND ANR.
SON OF LT. RAHIMUDDIN, RO VILL NO.2 SONAPUR, P.S. BIHPURIA,
DISTRICT LAKHIMPUR, PIN784161, ASSAM

2: ATOR ALI
SO LT. JUBED ALI
RO VILL NO 2 SONAPUR P.S BIHPURIA
DISTRICT LAKHIMPUR
PIN 784161
ASSA

VERSUS

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

2:HASNARA BEGUM
WO MD. WAHID ALI
RO VILL 2 NO SONAPUR P.S. BIHPURIA
DISTRICT LAKHIMPUR
PIN784161
ASSA

Advocate for the Petitioner : MS A GOGOI, MR S GOGOI, MS G GOGOI

Advocate for the Respondent : PP, ASSAM,

**BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA**

ORDER

Date : 24.09.2025

- 1.** Heard Mr. S. Gogoi, learned counsel for the applicants. Also heard Mr. K. K. Parasar, learned Additional Public Prosecutor for the State.
- 2.** This appeal 415(2) of BNSS has been filed by the appellants, namely, *Md. Jakir Hussain and Ator Ali* impugning the judgment and order dated 08.07.2025 passed by the learned Special Judge, Lakhimpur, North Lakhimpur in Special (POCSO) Case No. 146/2018 whereby the appellant No. 1 was convicted under Section 313 of IPC read with Section 4 of POCSO Act and was sentenced to undergo rigorous imprisonment for six years and to pay a fine of Rs.6,000/- (Rupees Six Thousand) under Section 313 of IPC with default stipulation and he was also sentenced to undergo rigorous imprisonment for ten years and to pay a fine of Rs.8,000/- (Rupees Eight Thousand) under Section 4 of the POCSO Act, 2012 with default stipulation.
- 3.** The appellant No. 2 was convicted under Section 4 of the POCSO Act, 2012 was sentenced to undergo rigorous imprisonment for ten years and to pay a fine of Rs.6,000/- (Rupees Six Thousand) with default stipulation.
- 4.** The appeal is admitted for hearing.
- 5.** Issue notice to the respondent No. 2 in pursuant to the prevailing notification of the Registry in this regard.
- 6.** The petitioners shall take steps for issuance of notice within seven days from the date of this order.
- 7.** Call for the Trial Court records.

- 8.** The Registry to take steps for requisitioning the Trial Court records.
- 9.** List accordingly.

JUDGE

Comparing Assistant