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Accused Paniya Sutradhar @ Mangla is produced from jail.

Heard learned P.P. as well as learned legal aid counsel on point of sentence. The learned legal aid counsel has submitted several case laws regarding rarest of rare case. It is found from the statement of the accused recorded during the time of his plea of guilt that, after consuming liquor he committed crime. According to learned defence counsel, at that time, accused was not in sound mental state. Because of drunkenness, accused had committed the crime. No motive for committing crime is revealed from his plea. Learned P.P. also submits that, this is not a case fallen under the criteria of rarest of rare case. As case is not fallen under the category of rarest of rare case, so, I abstain myself to sentence him with capital punishment. Considering the plea of guilt from the side of accused, I sentence him rigorous imprisonment for life U/S Section 302 I.P.C. and directed to pay fine of Rs.5,000/-. He is further sentenced to undergo rigorous imprisonment for a period of five years for the offence under U/S 201 I.P.C. and directed him to pay fine of Rs.3,000/-. Though accused is convicted U/S 6 of POCSO Act and Section 376-AB I.P.C. but, punishment is given U/S 376-AB I.P.C. only because according to Section 42 of POCSO Act, the punishment U/S 376-AB I.P.C. is greater than that of Section 6 of POCSO Act. Therefore, convict Paniya Sutradhar @ Mangla is sentenced to undergo rigorous imprisonment for life which shall mean the imprisonment for the remainder of his natural life and he is further directed to pay fine of Rs.10,000/-. All the sentences will run concurrently.

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family.

The fine amount shall be paid to the victim's

In my view, this is a fit case to give compensation to the victim's family according to victim compensation scheme U/S 357 A Cr.P.C.

District Legal Services Authority, Chirang, is directed to pay compensation to the family members of the victim. The quantum of compensation shall be decided by the District Legal Services Authority, Chirang according to law.

Communicate this order to the Secretary, District Legal Services Authority, Chirang, Kajalgaon.

Convict is committed to the prison immediately.

Issue jail warrant.

Seized articles, if any, shall be destroyed according to law.

Case is disposed of accordingly.

(As dictated)

Special Judge, Chirang, Kajalgaon.