

GAHC010011032024



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

Case No. : I.A.(Crl.)/136/2024

BANESWAR RABHA AND 2 ORS.
S/O SRI DHALI RABHA
VILL.- CHARAIBAHA
P.S.- BOKO
DIST.- KAMRUP
ASSAM
PIN- 781123.

2: SANJAY RABHA
S/O SRI MON MOHAN RABHA

VILL.- CHARAIBAHA

P.S.- BOKO
DIST.- KAMRUP
ASSAM
PIN- 781123.

3: ANANTA RABHA
S/O LATE KALU RAM RABHA

VILL.- CHARAIBAHA

P.S.- BOKO
DIST.- KAMRUP
ASSAM
PIN- 781123.
VERSUS

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

2:THANESHWAR DAS
SUB INSPECTOR OF POLICE
BOKO POLICE STATION
DIST.- KAMRUP
ASSAM
PIN- 781123.

Advocate for : MR. T DEURI
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM AND ANR.

BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

Date : 13.02.2024

Heard Mr. M. Mahanta, learned counsel for the appellants. Also heard Ms. N. Das, learned Additional Public Prosecutor for the State respondent.

This Interlocutory Application has been filed under Section 389 of the Code of Criminal Procedure, 1973 by the appellants, namely, (1) Baneshwar Rabha, (2) Sanjay Rabha, (3) Ananta Rabha praying for suspension of sentence imposed on the applicants by the judgment and order dated 14.11.2023 passed by the learned Sessions Judge, Kamrup in Sessions Case No. 17/2014

The aforesaid judgment has been impugned by the present applicants by preferring a connected criminal appeal which has been registered as CrI.A./42/2024, wherein LCR has been called for.

Since the applicants are sentenced to a short duration of imprisonment of one year only the notice to the respondents is hereby dispensed with and the applicant are allowed to remain on previous bail granted by learned trial court during the pendency of connected Criminal Appeal No. 42/2024.

This Interlocutory Application is accordingly disposed of.

JUDGE

Comparing Assistant