

GAHC010012812024



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

Case No. : Crl.A./17/2024

ABDUL AZIZ
S/O JABED ALI,
VILL.- CHARALDANGA, P.O.- SILAIRPAR, P.S.- GAURIPUR, DIST.- DHUBRI
(ASSAM), PIN- 783331.

VERSUS

THE STATE OF ASSAM AND ANR.
REP. BY THE PUBLIC PROSECUTOR.

2:FAZILA BIBI
W/O AKBAR ALI

VILL.- CHARALDANGA
P.O.- SILAIRPAR
P.S.- GAURIPUR
DIST.- DHUBRI (ASSAM)
PIN- 783331

Advocate for the Petitioner : MR. M K HUSSAIN

Advocate for the Respondent : PP, ASSAM

Linked Case : I.A.(Crl.)/67/2024

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Advocate for : MR. M K HUSSAIN
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM AND ANR.

BEFORE

HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI

O R D E R

24.01.2024

Heard the learned counsel for the parties.

2. This is an application under Section 389 of the Code of Criminal Procedure praying for allowing the applicant/appellant to remain on previous bail in the impugned judgment dated 06.12.2023 passed in Sessions Case No. 17/2021 by the learned Addl. Sessions Judge, Dhubri, convicting and sentencing the

accused/appellant to undergo rigorous imprisonment for two years for coming the offence punishable under Section 457 IPC and also to pay a fine of Rs. 1,000/- each in default, further rigorous imprisonment for one month and also convicting and sentencing the accused to undergo rigorous imprisonment for three years for committing the offence punishable under Section 376/511 IPC and also to pay a fine of Rs. 1000/- each in default, further rigorous imprisonment for (one) month.

3. I have heard the submissions made at the Bar and perused the averments made in the application.

4. In view of the fact that the applicant/appellant was on bail during trial and considering the entire matter, this Court is inclined to grant bail to the applicant/appellant.

5. Accordingly, it is provided that the operation of the sentence imposed on the applicant/appellant vide judgment dated 06.12.2023 shall remain suspended till disposal of the connected criminal appeal No. 17/2024. The applicant/appellant is allowed to remain on previous bail with the same terms and conditions.

6. With the above directions, the interlocutory application stands disposed of.

JUDGE

Comparing Assistant