

GAHC010043432024



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

Case No. : I.A.(Crl.)/209/2024

JAMAL UDDIN
S/O FOZAL HOQUE, VILL.- MAHAMMADPUR (KADONG), P.S.- BARPETA,
DIST.- BARPETA, ASSAM.

VERSUS

THE STATE OF ASSAM AND ANR.
TO BE REP. BY THE P.P., ASSAM.

2:NAYA MIA
S/O GOPAL MIA

VILL.- KADONG
P.O.- KADONG
P.S.- BARPETA
DIST.- BARPETA
ASSAM
PIN- 781314

Advocate for the Petitioner : MD. S Z B AKLAS

Advocate for the Respondent : PP, ASSAM

:: BEFORE ::

HON'BLE MR. JUSTICE PARTHIVJYOTI SAIKIA

O R D E R

19.06.2024

Heard Mr. AMS Mazumder, the learned counsel appearing for the applicant. Also heard Mr. D. Das, the learned Addl. Public Prosecutor, Assam representing Respondent No.1.

- 2.** None has appeared for the Respondent No.2 in spite of service of notice.
- 3.** This is an application under Section 389 of the Code of Criminal Procedure praying for releasing the applicant, who was convicted under Section 366A of the Indian Penal Code by the learned Addl. Sessions Judge-cum-Special Judge (POCSO), Barpeta in Special (POCSO) Case N.12/2019 (G.R. Case No.2430/2016).
- 4.** Today, I have gone through the LCR.
- 5.** After going through the LCR, the prayer of the applicant is allowed. The applicant Jamal Uddin is allowed to go on bail of ₹25,000/- with a surety of like amount to the satisfaction of the learned Addl. Sessions Judge-cum-Special Judge (POCSO), Barpeta.
- 6.** In the meantime, the judgment and order dated 30.12.2023 passed by the learned Addl. Sessions Judge-cum-Special Judge (POCSO), Barpeta in Special (POCSO) Case N.12/2019 shall remain stayed till disposal of the connected appeal.

The Interlocutory Application is disposed of.

JUDGE

Comparing Assistant