

GAHC010061282024



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

I.A.(CrI.)/289/2024

SIRAJUL HOQUE CHOUDHURY
S/O LATE LATIF ALI CHOUDHURY
VILL- KALINAGAR PART-VI
P.S. PANCHGRAM
DIST. HAILAKANDI
ASSAM

VERSUS

THE STATE OF ASSAM
TO BE REP. BY THE PP
ASSAM

Advocate for : MR. A M BARBHUIYA
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MITALI THAKURIA

ORDER

Date : 27.03.2024

Heard Mr. A.M. Barbhuiya, learned counsel for the applicant. Also heard Ms. B. Bhuyan, learned Additional Public Prosecutor the State respondents.

This is an application under Section 397 Cr.P.C. read with Section 389 Cr.P.C. to allow the applicant to remain on previous bail and/or to go on fresh bail by suspending the sentence passed in the impugned judgment and order dated 15.02.2024 by the learned Additional Sessions Judge, Hailakandi in Criminal Appeal No. 09/2020 and the impugned judgment and order dated 16.06.2020 passed by the learned CJM, Hailakandi dated 16.06.2020 in G.R. Case No.1688/2016 till disposal of the connected appeal.

It is submitted by the learned counsel for the petitioner that against the judgment and order of the learned Additional Sessions Judge, one criminal appeal has already filed, whereby the present accused appellant was convicted under Section 341/354 IPC and sentenced to pay a fine of Rs.500/- for the offence under Section 341 IPC and also to sentenced undergo SI for one year under Section 354 IPC along with a fine of Rs.2,000/-.

It is submitted that during the trial the appellant/petitioner never misused the liberty and he being a permanent resident of his locality, there is no chance of absconding, if he is released on bail.

In this context, learned Additional Public Prosecutor has raised no objection.

Considering the submission made by the learned counsel for both sides, the present petitioner is allowed to go on fresh bail for Rs.10,000/- with one local surety of the lime amount to the satisfaction of the learned CJM, Hailakandi.

Till the disposal of the connected revision petition, the operation of the judgment and order dated 15.02.2024 shall remain stayed.

Accordingly, the I.A. stands disposed of.

JUDGE

Comparing Assistant