

GAHC010066342024



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

I.A.(Crl.)/306/2024

LAKHI DEV SAIKIA AND 2 ORS.
S/O SRI LAKHESWAR SAIKIA
VILL.- RANGCHALI SONARI
P.S.- BEHALI
P.O.- BEHALI
DIST.- BISWANATH
ASSAM
PIN- 784166.

2: MANASH JYOTI SAIKIA
S/O SRI LAKHI DEV SAIKIA SAIKIA

VILL.- RANGCHALI SONARI
P.S.- BEHALI
P.O.- BEHALI
DIST.- BISWANATH
ASSAM
PIN- 784166.

3: MEGHA JYOTI SAIKIA
S/O SRI LAKHI DEV SAIKIA

VILL.- RANGCHALI SONARI
P.S.- BEHALI
P.O.- BEHALI
DIST.- BISWANATH
ASSAM
PIN- 784166.
VERSUS

THE STATE OF ASSAM AND ANR.

REP. BY THE P.P.
ASSAM.

2:MAMU SAIKIA BANIA
W/O SRI BISWAJIT BANIA

VILL.- RANGCHALI SONARI
P.S.- BEHALI
P.O.- BEHALI
DIST.- BISWANATH
ASSAM
PIN- 784166.

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

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

30.09.2024

Heard Mr. J Payeng, learned counsel for the applicants as well as Mr. K K Das, learned Additional Public Prosecutor, Assam.

Seen the Office Note dated 16.09.2024.

Service of notice on respondent no. 2 is complete.

None appears for the respondent no. 2.

This is an application filed under section 389 of the CrPC praying for suspension of sentence and for allowing the applicants to go on bail pending disposal of the connected criminal appeal.

I have gone through the evidence available in the records as well as the impugned judgement passed by the trial court.

It is hereby direct that the sentence imposed upon the appellants, namely, (1) Sri Lakhi Dev Saikia; (2) Sri Manash Jyoti Saikia; and (3) Sri Megha Jyoti Saikia passed in the judgment and order dated 29.02.2024 by the learned Sessions Judge, Biswanath Chariali in Sessions Case No. 391/2012 shall remain stayed till disposal of the connected appeal.

The applicants, namely, (1) Sri Lakhi Dev Saikia; (2) Sri Manash Jyoti Saikia; and (3) Sri Megha Jyoti Saikia shall be released on bail of Rs.25,000/- each with one surety of like amount to the satisfaction of the learned Sessions Judge, Biswanath Chariali.

The interlocutory application is disposed of.

JUDGE

Comparing Assistant