

GAHC010084502024



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

Case No : I.A.(Crl.)/400/2024

JAKIR HUSSAIN LASKAR @ MD. JAKIR HUSSAIN LASKAR @ MITON
S/O LATE SIRISH ALI LASKAR
R/O HAILAKANDI TOWN WARD NO.- V
P.S. AND DIST.- HAILAKANDI
ASSAM.

VERSUS

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

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

IN Case No. : Crl.A./117/2024

JAKIR HUSSAIN LASKAR @ MD. JAKIR HUSSAIN LASKAR @
MITON
S/O LATE SIRISH ALI LASKAR,
R/O HAILAKANDI TOWN WARD NO.- V, P.S. AND DIST.-
HAILAKANDI, ASSAM.

VERSUS

THE STATE OF ASSAM

TO BE REP. BY THE P.P., ASSAM.

Advocate for the Petitioner : MR. A M BARBHUIYA

Advocate for the Respondent : PP, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY**

ORDER

01.05.2024

Heard Mr. A. M. Barbhuiya, learned counsel for the applicant. Also heard Mr. P. Borthakur, learned Additional Public Prosecutor for the State of Assam.

This application is filed under Section 389 of the Code of Criminal Procedure, 1973 praying for suspension/stay of the operation of the judgment and order dated 28.03.2024 passed by the learned Sessions Judge, Hailakandi in Sessions Case No. 126/2019 whereby convicted and sentencing the applicant to undergo R.I. for 3 (three) years and fine of Rs. 20,000/- in default of payment of fine, further R.I. for 6 (six) months and further allow the applicant to go on previous bail.

The connected appeal assailing the aforesaid judgment and order has also been admitted.

The learned counsel for the applicant has annexed all the deposition of the witnesses along with the appeal memo.

Perused the same and considering the testimonies of the eye witnesses i.e. PW-4, PW-5 and PW-6, this Court is of the view that the applicant has been able to make out a case for granting interim protection.

Accordingly, it is provided, the applicant shall remain on previous bail till disposal of the connected appeal.

This I.A.(Crl) stands disposed of.

JUDGE

Comparing Assistant