

GAHC010108822024



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

I.A.(Crl.)/544/2024

NARENDRA KUMAR CHAURASIA
S/O KANTI CHANDRA CHAURASIA
R/O MAHOBA
P.S.- MALAKPURA
DIST.- MAHOBA (UTTAR PRADESH) PIN- 210427.

VERSUS

THE CENTRAL BUREAU OF INVESTIGATION AND ANR.
REP. BY STANDING COUNSEL
CBI.

2:SUPERINTENDENT OF POLICE CBI
ACB
GUWAHATI
PIN- 781032.

Advocate for : MR. M SAIKIA
Advocate for : SC
CBI appearing for THE CENTRAL BUREAU OF INVESTIGATION AND ANR.

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 17.07.2024

Heard Mr. M.Saikia, learned counsel for the applicant. Also heard Mr. M.Haloi, learned Standing Counsel appearing for the opposite party Nos. 1 and 2.

By filing this interlocutory application under Section 389 of the CrPC, the applicant has

prayed for suspension of sentence and to release the applicant on bail vide the Judgment and Order, dated 30.04.2024 passed by the learned Special Judge, CBI, Additional Court No. 3, Chandmari, Guwahati in Special Case No. 40/2008 under Section 13 (1) (d)/ 13 (2) of the PC Act r/w Section 120B/420/468/471/467 of the IPC till final disposal of the connected criminal appeal whereby the applicant was convicted and sentenced to pay fine of Rs.40,000/- in default SI for 2 months; 2 years RI on each count u/s Sections 120B/420/468/471 IPC and fine of Rs.20,000/- on each count, in default further RI for 3 months on each count; and sentence to RI for 3 years u/s 467 of the IPC and fine of Rs.30,000/- in default further RI for 6 months.

The learned counsel for the applicant submits that in another case, the applicant was convicted for 5 years.

Mr. M.Haloi, learned Standing Counsel appearing for the opposite party Nos. 1 and 2 has no objection against the prayer of the applicant.

Having considered the ground of appeal against the impugned judgment and order and also having heard of both sides, the sentence passed against the applicant/appellant pending the connected appeal may be suspended.

Accordingly, the sentence passed is hereby suspended till disposal of connected criminal appeal and till then, the applicant/appellant is directed to be released on bail of Rs. 30,000/- with one surety of the like amount to the satisfaction of the learned Special Judge, CBI, Guwahati.

The interlocutory application stands disposed of.

JUDGE

Comparing Assistant