

GAHC010102992024



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

Case No. : I.A.(Crl.)/521/2024
in Crl.A./172/2024

NITYA NANDA RAY
S/O BHOLA NATH RAY
VILL.- SOUTH TOKERCHARA PT- IV
P.S.- GOLAKGANJ
DIST.- DHUBRI
PIN- 783301
ASSAM.

VERSUS

THE STATE OF ASSAM AND ANR.
REP. BY THE P.P.
ASSAM.

2:NILIMA RAY
W/O CHINMAY RAY
VILL.- SOUTH TOKERCHARA PT- IV
P.S.- GOLAKGANJ
DIST.- DHUBRI
PIN- 783301
ASSAM.

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

BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

Date : 04.06.2024

Heard the learned counsel for the parties.

This appeal under section 389 Cr.P.C is filed seeking suspension/stay of the impugned judgment and sentence dated 19.03.2024 passed by the learned Additional Sessions Judge, Dhubri in Session Case No.01/2022, under sections 376/511/325 IPC, whereby the applicant was convicted to undergo rigorous imprisonment for two years and fine of Rs.2,000 under section 354 IPC in default to fine of another rigorous imprisonment for six months and to pay a fine of Rs.500/- under section 323 IPC in default of fine and another RI for 15 days. Both the sentences were to run concurrently.

The connected appeal has already been admitted.

Perused the judgment as well as the grounds taken in the present application seeking suspension of the aforesaid order.

Considering the matter in entirety, more particularly, considering the period of sentence, this court is of the view that there is no likelihood of taking up the matter for final hearing.

The petitioner is on previous bail.

Considering the matter in entirety, the petitioner is allowed to remain on previous bail granted by the learned court below.

With the aforesaid, the I.A stands closed.

JUDGE

Comparing Assistant