

GAHC010149952023



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

**Case No. : I.A.(CrI.)/591/2023**

BINAY KUMAR SINGHA  
S/O. LT. BIRAHARI SINGHA, R/O. VILL. VITOR GANGAPUR PART-I, P.S.  
BORKHOLA, DIST. CACHAR, ASSAM.

VERSUS

THE STATE OF ASSAM AND ANR.  
REP. BY PP, ASSAM.

2:AJIT DEB  
S/O. LT. AKHIL CHANDRA DEB  
R/O. VILL. DHOLCHERRA PART-II  
P.O. JAROITOLA BAZAR  
P.S. BORKHOLA  
DIST. CACHAR  
ASSAM

**Advocate for the Petitioner : MR F A LASKAR**

**Advocate for the Respondent : PP, ASSAM**

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

**ORDER**

**Date : 01.05.2024**

Heard Mr. F.A Laskar learned counsel for the applicant and

Mr. P Borthakur learned Addl. PP, appearing for the State respondent.

The present application under section 389 Cr.P.C is preferred by the applicant, Binay Kumar Singha for suspending the sentence rendered by the learned Special Judge, POCSO, Cachar in Special (P) Case No.14/2021, whereby the applicant was convicted under section 354 IPC, sentencing him to undergo rigorous imprisonment for two years and also to pay a fine of Rs.10,000/- with default stipulation.

The connected appeal has already been admitted and this court under its order dated 25.07.2023 had allowed the petitioner to remain on previous bail.

Accordingly the present interlocutory application stands closed. The applicant is allowed to remain on previous bail till disposal of the connected appeal.

The I.A stand disposed of.

**JUDGE**

**Comparing Assistant**