

GAHC010155062024



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

Case No. : I.A.(CrI.)/725/2024

BIJU MAJHI AND ANR
S/O LATE CHUTU MAJHI R/O VILL- SANTAK NAGAON, P.O. AND P.S.
BIHUBOR, IN THE DISTRICT OF SIVASAGAR, ASSAM, PIN-785696.

2: SRI POLASH BHUMIJ
S/O RAM PRASAD BHUMIJ R/O VILL- SANTAK NAGAON
P.O. AND P.S. BIHUBOR
IN THE DISTRICT OF SIVASAGAR
ASSAM
PIN-785696

VERSUS

THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY THE PP, ASSAM

2:SMTI. JANMONI KONWAR
W/O JUNTI KONWAR

3:SRI JUNTI KONWAR
S/O LATE NILA KANTA KONWAR

4:SRI SOMESWAR KONWAR
S/O LATE NILA KANTA KONWAR THE ABOVE RESPONDENTS NO. 2 TO 4
ARE RESIDENT OF VILL- SANTAK NAGOAN
P.O. AND P.S. BIHUBOR
IN THE DISTRICT OF SIVASAGAR
ASSAM
PIN-78569

Advocate for the Petitioner : MR. M KALITA, MR. N M DAS,MR. J HATIMURIA

Advocate for the Respondent : PP, ASSAM,

**BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI**

ORDER

21.08.2024

Heard Mr. M. Kalita, learned counsel for the petitioner. Also heard Mr. R. J. Baruah, learned Additional Public Prosecutor.

By this interlocutory application under Section 389(2) Cr.P.C., the applicant/appellant, who is convicted vide the impugned Judgment and Order, dated 13.06.2017 passed by the learned Sub-Divisional Judicial Magistrate (M), Nazira, Sivasagar in G.R. case No. 269/2016, has prayed for suspension of sentence and to allow him to go on bail.

It is submitted that that though the petitioner was convicted by the trial court under Section 324 IPC and sentenced to undergo rigorous imprisonment for two years with fine. Subsequently, on appeal, the sentence was reduced to six months.

I have heard the learned counsel for both sides and considered the grounds cited in the petition along with the documents annexed thereto.

On hearing the learned counsel for both sides and perusal of the impugned Judgment and Order, dated 13.06.2017 passed by the learned Sub-Divisional Judicial Magistrate(M), Nazira, Sivasagar in G.R. case No. 269/2016, it is provided that the operation of the sentence passed therein shall remain stayed till disposal of the connected Criminal Revision Petition No. 302/2024. The applicant/accused is directed to be released on bail of **Rs.20,000/- (Rupees Twenty Thousand)** with one surety of like amount to the satisfaction of the

learned **Sub-Divisional Judicial Magistrate(M), Nazira, Sivasagar.**

With the above directions, the Interlocutory Application stands disposed of.

JUDGE

Comparing Assistant