

GAHC010163362024



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

Case : I.A.(Crl.)/756/2024

BONGALI TAID
S/O LATE LAMBAR TAID R/O VILL- LAIBEEL
P.S. DEMOW IN THE DISTRICT OF SIVASAGAR
ASSAM
PIN-785662

VERSUS

THE STATE OF ASSAM AND ANR
REPRESENTED BY THE PP
ASSAM

2:SMTI. AMARAWATI TAID
W/O INDRA TAID R/O LALBEEL GAON P.S. DEMOW IN THE DISTRICT OF
SIVASAAR
ASSAM
PIN-785662

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

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

19.08.2024

Heard Mr. M. Kalita, learned counsel for the applicant as well as Mr. D. P.

Goswami, learned Additional Public Prosecutor appearing for the State respondent No.1.

This interlocutory application is filed under Section 389(2) Cr.P.C. read with Section 430 of BNSS, 2023, against the judgment and order dated 03.10.2018 passed by the learned Assistant Sessions judge, Sivasagar in Sessions Case No. 23(s-s) 2014, arising out of G.R. Case No. 925/2011, whereby the present petitioner is sentenced to undergo RI for six months and to pay fine of Rs.1,000/- in default stipulation for the offence under Section 323/34 IPC and the judgment and order dated 18.07.2024 passed by the learned Additional Sessions Judge, Sivasagar in Criminal Appeal No. 21(4)/2018, has prayed for suspension of sentence and to allow him to go on bail.

Mr. D. P. Goswami, learned Additional Public Prosecutor has made no objection on the prayer of the applicant.

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 03.10.2018 passed by the learned Assistant Sessions Judge, Sivasagar in Sessions Case No. 23(s-s)/2014 (G.R. Case No. 925/2011, it is provided that the operation of the sentence passed therein shall remain stayed till disposal of the connected Criminal Revision P. 313/2024.

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 **Assistant Sessions Judge, Sivasagar.**

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

JUDGE

Comparing Assistant