

GAHC010184462024



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

I.A.(CrI.)/857/2024

LAKHINANDAN NATH @ LAKHINANDAN HAZARIKA
S/O. SRI. GOPAL KRISHNA HAZARIKA @ DIPU HAZARIKA
R/O. PACHIM DIGHALDORI
R/S. RAHA
DIST. NAGAON
ASSAM
PIN-782103

VERSUS

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

2:SMTI. SABITRI DAS
W/O. SRI. BISAN DAS
R/O. VILL. PACHIM DIGHALDORI
P/S. RAHA
DIST. NAGAON
ASSAM
PIN-782103

Advocate for : S AHMED
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM AND ANR

**BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI**

ORDER

Date : 19.09.2024

Heard Mr.S.Ahmed, learned Counsel for the applicant Also heard Mr. P.Borthakur, learned Addl. Public Prosecutor, Assam for the State opposite party No.1.

By filing this interlocutory application under Section 430 of the Bharatiya Nagarik Surakshya Sanhita, 2023, the applicant has prayed for suspension of the sentence and to allow him to go on bail vide impugned Judgment and order dated 20.08.2024 passed in Special(POCSO) Case No.26 (N)/2019 by the learned Addl. Sessions Judge-cum- Special Judge (POCSO), Nagaon whereby the applicant has been convicted under Section 8 of the POCSO Act and sentenced to undergo RI for 3 years and to pay fine of Rs.10,000/- i/d to undergo SI for 3 months.

Learned counsel appearing for the applicant/appellant, submits that the applicant is on bail granted by the trial court and he may be allowed to remain on previous bail.

Considering the submission of learned counsel for the applicant and Addl.P.P., the applicant, **Lakhinandan Nath @ Lakhinandan Hazarika** is directed to be released on furnishing bail of **Rs. 30,000/-** with one surety of the like amount to the satisfaction of the learned Addl. Sessions Judge-cum-Special Judge (POCSO), Nagaon. The sentence imposed in the case shall remain suspended till disposal of the connected criminal appeal.

The interlocutory application stands disposed of.

JUDGE

Comparing Assistant