

GAHC010188362023



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

Case No. : I.A.(Crl.)/1248/2023

MOJIBAR RAHMAN
S/O- LATE. SONE SK, VILL- SATBIL, P.S- GOSSAIGAON, DIST.-
KOKRAJHAR, ASSAM.

VERSUS

THE STATE OF ASSAM AND ANR. A
REPRESENTED BY P.P. ASSAM.

2:MD. SHAH ALOM
S/O- MD. SAHABUDDIN SHEIKH
VILL- GUWABARI
P.S- GOSSAIGAON
DIST.- KOKRAJHAR
ASSAM

Advocate for the Petitioner : MR P K DAS

Advocate for the Respondent : PP, ASSAM

:: BEFORE ::

HON'BLE MR. JUSTICE PARTHIVJYOTI SAIKIA

O R D E R

20.06.2024

Heard the learned counsel Mr. A. Ahmed appearing for the applicant. I have also heard Mr. B. Sarma, learned Addl. Public Prosecutor, Assam.

2. This is an application under Section 389 of the Code of Criminal Procedure praying for suspension of sentence passed by the learned Special Judge, POCSO, Kokrajhar in Special Case No.45/2018 arising out of Gossaigaon P.S. Case No.284/2018.
3. After hearing both sides and after going through the record, the prayer of the applicant is allowed.
4. The judgment and order dated 03.02.2023 passed by the learned Special Judge, POCSO, Kokrajhar in Special Case No.45/2018 arising out of Gossaigaon P.S. Case No.284/2018 shall remain stayed till disposal of the appeal.
5. The applicant Md. Mojibar Rahman is allowed to go on bail of ₹25,000/- with a surety of like amount to the satisfaction of the learned Special Judge, POCSO, Kokrajhar.

The Interlocutory Application is disposed of.

JUDGE

Comparing Assistant