

GAHC010200652023



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

Case No. : I.A.(CrI.)/137/2024

AJIT @ AJAY SARKAR
S/O LT. RASH SARKAR, R/O- NO.4 RAJAGARH, P.S- DIMAKUCHI, DIST-
UDALGURI, ASSAM.

VERSUS

THE STATE OF ASSAM AND ANR
REPRESENTED BY PP ASSAM.

2:LAXMI PRASAD BIMALI NATH
S/O LT KHARGA PRASAD BIMALI
R/O- VILL-NO.2 SUKLAI NEHRU MEMORIAL HIGH SCHOOL PS-
DIMAKUCHI
DIST- UDALGURI
ASSAM

Advocate for the Petitioner : MR. A BHATTACHARYA

Advocate for the Respondent : PP, ASSAM

:: BEFORE ::

HON'BLE MR. JUSTICE PARTHIVJYOTI SAIKIA

O R D E R

27.03.2024

Heard Mr. A. Bhattacharjee, the learned counsel appearing for the applicant/appellant as well as Mr. R.J. Baruah, the learned Addl. Public Prosecutor

representing the State of Assam/Opposite Party No.1. Mr. D. Gogoi, learned Amicus Curiae represents Opposite Party No.2.

2. This is an application under Section 389(1) of the Code of Criminal Procedure praying for suspension of sentence and for releasing the applicant/appellant on bail who was convicted in Special (POCSO) Case No.46/2021 for a period of 4(four) years.

3. I have considered the submissions made by the learned counsel of both sides.

4. I have also gone through the scanned copy of the LCR.

5. The judgment and order dated 23.06.2023 passed by the learned Special Judge, Udalguri in Special (POCSO) Case No.46/2021 shall remain suspended till disposal of the appeal.

6. The applicant Ajit @ Ajay Sarkar is allowed to go on bail of ₹20,000/- with a surety of like amount to the satisfaction of the learned Special Judge, Udalguri.

With the above direction, the Interlocutory Application is disposed of.

JUDGE

Comparing Assistant