

GAHC010225042024



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

I.A.(CrI.)/1021/2024

SAHAB UDDIN
S/O. LATE LAKHI RAM BAISHYA
R/O. VILL. AND P/O.- JANIGOG
P/S. NALBARI
DIST.- KAMRUP(M)
ASSAM
PIN-781334

VERSUS

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

Advocate for : ALHAJJ I UDDIN
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM AND ANR

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 04.11.2024

Heard Mr. A.I. Uddin, learned Counsel for the applicant. Also heard Mr. D.P.Goswami, learned Addl. Public Prosecutor, Assam for the State opposite party No.1.

By filing this application under Section 389 of the CrPC, the applicant has prayed for suspension of the execution of the sentence and release the applicant on previous bail vide impugned Judgment and order dated 24.09.2024 in Special (POCSO) Case No.66/2018 (Laluk Police Station Case No. 127/2018) passed by the learned Special Judge, Lakhimpur, North Lakhimpur convicting the applicant u/s Section 10/18 of the POCSO Act and sentencing him to undergo RI for 1 year and to pay fine of Rs.15,000/- i/d SI for 5 months.

Learned Counsel for the applicant submits that as per order of the learned trial court though the applicant was convicted and sentenced to undergo RI for 1 year and a fine of Rs.15,000/- i/d SI for 5 months but thereafter, vide order dated 24.09.2024, he was allowed to remain on previous bail. It is further submitted that during the period of trial, the applicant was on bail and as such, he may be allowed to remain on previous bail.

Learned Addl.P.P. has made no objection.

Having heard the learned counsel for the parties, the execution of aforesaid sentence is hereby suspended and the applicant is allowed to remain on previous bail till disposal of the connected criminal appeal vide Criminal Appeal No.356/2024..

The interlocutory application stands disposed of.

JUDGE

Comparing Assistant