

GAHC010218692024



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

Case No.: I.A.(CrI.)/1035/2024
in Case No. : CrI.A./339/2024

SURAT JAMAL AND ANR
S/O. MD. SABER ALI.

2: SULTAN ALI
S/O. MD. SABER ALI
BOTH ARE RESIDENT OF-
VILLAGE NO. 2 KARIGAON
P/S.- BOKO
DIST.- KAMRUP
ASSAM.
VERSUS

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

2:MOGBAR ALI
S/O. ABDUL JALIL
R/O. DALGAON
P/S. BOKO
DIST.- KAMRUP
ASSAM.

Advocate for : MR F HAQUE
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM AND ANR

**BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI**

ORDER

Date : 11.11.2024

Heard Mr. F. Haque, learned counsel for the appellants and Mr. D. Das, learned Addl. Public Prosecutor for the State respondent No.1.

This is an application under Section 430 of BNSS, 2023 filed by the applicants namely, Surat Jamal and Sultan Ali praying for remaining on previous bail and suspension of sentence against the impugned judgment and order dated 21.09.2024, passed by the learned Addl. Sessions Judge, Kamrup, Amingaon in Sessions Case No. 54/2018 whereby the appellants/ applicants were convicted and sentenced to undergo R.I for 2 (two) years each and to pay fine of Rs. 10,000/ (Rupees ten thousand) only each in default to undergo simple imprisonment for 6 (six) months under Section 365/34 IPC.

The learned counsel for the applicants submits that the applicants were on bail during trial and the appeal period and even after judgment, they were allowed to remain on previous bail for preparation of connected appeal. The learned counsel for the applicants prays for allowing the applicants to remain on previous bail till disposal of the connected appeal.

In view of the above, the applicants are allowed to remain on previous bail till disposal of the connected appeal.

The operation of the judgment and order dated 21.09.2024, passed by the learned Addl. Sessions Judge, Kamrup, Amingaon in Sessions Case No. 54/2018 shall remain suspended till disposal of criminal appeal vide Cr. A. No. 339/2024.

Accordingly, I.A. stands disposed of.

JUDGE

Comparing Assistant