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

Case No. : I.A.(CrI.)/1233/2024

SWAPAN KR BARMAN
S/O. LATE SUMANTA BARMAN
R/O. VILL.- JOGIRVITA
P/S. GOSSAIGAON
DIST. KOKRAJHAR
ASSAM.

VERSUS

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

2:SAMER ALI
S/O. LATE ABDUL MAJID
R/O. VILL.- BASIR CHAR
TULSHIBIL
P/S. GOSSAIGAON
DIST. KOKRAJHAR
ASSAM
PIN-783337.

Advocate for : MR. D BORA
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM AND ANR

**BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA**

ORDER

12.12.2024

Heard Mr. B. K. Mahajan, learned counsel appearing for the applicant/appellant. Also heard Mr. D. Das, learned Additional Public Prosecutor, Assam appearing for the State.

This is an application under Section 430(3) of the BNSS, 2023 praying for suspension of sentence.

The applicant was convicted under Section 341/326/307 of the IPC by learned Sessions Judge, Kokrajhar in Sessions Case No.138/2013. He was sentenced to undergo rigorous imprisonment for 7 (seven) years and to pay a fine of Rs.10,000/- with default stipulation.

Today, I have gone through the evidence available with the record. It is hereby directed that the sentence imposed upon the applicant by the learned Sessions Judge, Kokrajhar in Sessions Case No.138/2013 shall remain stayed till disposal of the connected appeal.

The petitioner Swapan Kumar Barman is hereby allowed to go on bail of Rs.25,000/- with a surety of like amount to the satisfaction of the learned Sessions Judge, Kokrajhar.

With the aforesaid direction, the I.A. stands disposed of.

JUDGE

Comparing Assistant