

GAHC030001482024



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

Case No. : I.A.(Crl.)/10/2024

Sh. Zosangzuala
S/o Lalzuia (L)
R/o Chanmari, Aizawl District, Mizoram.

VERSUS

Central Bureau of Investigation (CBI)
r/b The Special Public Prosecutor
Office of the Head of Branch, CBI, ACB Imphal Branch, Near DC Office, Imphal
West District, Lamphelpat Post Office - 795004

Advocate for the Petitioner : Mr Lalfakawma

Advocate for the Respondent :

Linked Case : Crl.A./12/2024

Sh. Zosangzuala
S/o Lalzuia (L)
R/o Chanmari
Aizawl
Mizoram.

VERSUS

Central Bureau of Investigation (CBI)
r/b The Special Public Prosecutor Office of the Head of Branch
CBI
ACB Imphal Branch

Near DC Office
Imphal West District
Lamphelpat Post Office - 795004

Advocate for the Petitioner : Mr Lalfakawma
Advocate for the Respondent :

ORDER

**BEFORE
HONOURABLE MR. JUSTICE NELSON SAILO**

07.03.2024

Heard Mr. Lalfakawma, learned counsel for the applicant, who submits that the applicant by filing this application under Section 389 of the Cr.PC prays for suspension of the sentence and stay of realization of fine and release of the applicant on bail pending disposal of the connected Criminal Appeal filed by the applicant against the Judgment & Order dated 02.02.2024 and the Sentence Order dated 05.02.2024. The learned counsel submits that prior to conviction of the applicant, he was all along on bail during the entire trial and that since the sentence imposed upon the applicant is more than three (3) years, he could not apply for bail before the Trial Court in terms of Section 389 pending presentation of the appeal.

The learned counsel submits that two (2) other co-accused persons have been released on bail by this Court after the sentence imposed upon them have

been suspended. The learned counsel therefore submits that similar benefit may be granted to the present applicant.

Considering the above submission and upon perusal of the contents of the application, the impugned Order of Sentence dated 05.02.2024 in so far as the applicant is concerned is hereby suspended till disposal of the connected appeal. The applicant is allowed to go on bail upon furnishing a bail bond of Rs. 20,000/- with one surety of like amount to the satisfaction of the learned Trial Court.

I.A accordingly stands disposed of.

JUDGE

Comparing Assistant