

GAHC030004412024



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

Case : I.A.(Crl.)/35/2024

Sushil Kumar Chakma
Kamalanagar-I
Lawngtlai

2: Borcheg Image Chakma
Kamalanagar-I
Lawngtlai

3: Manabendra Chakma
Kamalanagar-II
Lawngtlai District

4: Ramesh Kanti Tongchangya
Kamalanagar-II
Lawngtlai District

5: Subhash Chakma
Kamalanagar-II
Lawngtlai District

6: Kala Uda Tongchangya
Vaseitlang-I
Lawngtlai District

7: Ravi Chandra Chakma
Kamalanagar-II
Lawngtlai District

8: Vanlalkima
Kamalanagar-II
Lawngtlai District

9: Sumati Jiban Chakma
Kamalanagar-I
Lawngtlai District

10: Kripamoy Chakma
Kamalanagar-I
Lawngtlai District

11: Jatra Mohan Chakma
Borapansury-II
Lawngtlai District

12: Malina Chakma
Kamalanagar-I
Lawngtlai District

13: Rakhi Chakma
Kamalanagar-II
Lawngtlai District

14: Jama Charan Chakma
Tungasora
Lawngtlai District

15: Bimala Sen Tongchangya
Kamalanagar-I
Lawngtlai District

16: Surat Mal Tongchangya
Kamalanagar-I
Lawngtlai District
VERSUS

Central Bureau of Investigation
Imphal

Advocate for the Petitioner : Mr B Lalramenga
Advocate for the Respondent :

Linked Case No. : Crl.A./28/2024

Sushil Kumar Chakma
Kamalanagar-I, Lawngtlai 2: Borcheg Image Chakma
Kamalanagar-II
Lawngtlai

3: Manabendra Chakma
Kamalanagar-II

4: Ramesh Kanti Tonchangya
Kamalanagar-II
Lawngtlai

5: Subash Chakma
Kamalanagar-II

6: Kala Uda Tongchangya
Vaseitlang-I
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Lawngtlai

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Lawngtlai

15: Bimala Sen Tongchangya
Kamalanagar-I
Lawngtlai

16: Surat Mala Tongchangya
Kamalanagar-I
Lawngtla

VERSUS

Central Bureau Investigation
Imphal

Advocate for the Petitioner : Mr B Lalramenga

Advocate for the Respondent :

B E F O R E
HON'BLE MRS. JUSTICE MARLI VANKUNG
O R D E R

05.07.2024

Heard Mr. B. Lalramenga, learned counsel for the applicant, who has filed the instant application under Section 430(1) of the Bharatiya Nagarika Suraksha Sanhita (BNSS), 2023 for the suspension/stay of the impugned Judgment & Order dated 17.05.2024 and the impugned order dated 20.05.2024 passed by the Special Judge, P.C. Act, in SR (PCA) No.0-7/2012 arising out of CBI Case No. RCGHG 2010 A0007 u/s 120B read with 420/468/471 IPC and under section 13(2) read with 13(1) (c), (d) of the P.C. Act. during the pendency of the connected appeal and to allow the appellant/applicant to go on bail pending disposal of the connected appeal.

The learned counsel for the applicant submits that the learned trial court vide its order dated 21.05.2024 in CMA Nos.10-12/2024 had granted bail to the instant applicant in terms of Section 389(3) of Cr.P.C under the following conditions :

1) Bail bond amount should be Rs.1,00,000/- (Rupees one lakh) each and surety must be like an amount to be supported by Attested copy of EPIC, having permanent residence in Aizawl Municipal area.

2) The convicted persons should not indulge in any form of crime during their bail period.

3) This bail and bond (if any) will be valid till dt.24th July, 2024, the convicted person shall surrender themselves before this court on or before dt.24th July, 2024 for further detention in jail unless granted them on bail for pending hearing of appeal petition by the Hon'ble Appellate court or setting aside/quashing of the judgment and sentence order passed by this court.

The learned counsel for the applicant submits that since bail is granted only the 24th July, 2024, he had prayed that the instant applicants may be allowed to remain on bail till the disposal of the Criminal Appeal/28 of 2024 since the applicants are permanent residence of Lawngtlai District and are not likely to abscond till the disposal of the instant Criminal appeal which he submits is likely to be set aside.

Having heard the submission made by the learned counsel for the appellant, this court find s it fit to extend the bail granted to the applicants by the learned counsel for the appellants till the disposal of the Crl.Appl.28/2024, the bail amount and the conditions remain the same by suspending the sentenced Order dated 20.05.2024.

Accordingly, I.A. (Crl.) NO.35 of 2024 stands allowed and disposed of.

JUDGE

Comparing Assistant