

Party Name : BISWAJIT BHOWMIK Vs THE STATE OF TRIPURA

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THE HONBLE MR JUSTICE U. B. SAHA THE HONBLE MR. JUSTICE S.TALAPATRA

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The instant application is filed for suspension of the sentence dated 22.01.2015 passed by the learned Sessions Judge, Gomati District, Udaipur in Sessions Trial 32(ST/U)/2014 whereby and whereunder the applicant was convicted under Sections 307/364/376(1) of IPC and was sentenced to suffer RI for 12 years and to pay fine of Rs. 10,000/- i.d. to suffer SI for six months for commission of offence under Section 376 IPC, to suffer RI for 10 years and to pay a fine of Rs. 10,000/- i.d. to suffer SI for six months for commission of offence under Section 364 IPC and to suffer RI for 5 years and to pay a fine of Rs. 5,000/-, i.d. to suffer SI for six months for commission of offence under Section 307 IPC. All the sentences would run concurrently.

Mr. Bhowmik while urging for granting bail by way of suspending the sentence would contend that from the evidence on record it would be evident that this is a fit case for acquittal. Thus, the applicant convict may be granted bail by way of suspending the sentence passed by the learned trial court.

On the other hand, Mr. Ghosh objected to the prayer for bail.

We have also considered the evidence on record as well as the impugned judgment.

According to us, this is not a fit case where the prayer for suspension of sentence should be granted at this stage. Accordingly, the prayer for suspension is rejected.

Crl. M. Application is disposed of.