

Party Name : NIMAI DEY @ PIJUS Vs THE STATE OF TRIPURA

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THE HONBLE MR. JUSTICE S.TALAPATRA

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Heard Mr. A. Bhowmik, learned counsel appearing for the appellant-petitioner as well as Mr. A. Ghosh, learned PP appearing for the State.

This is a petition for suspending the sentence in terms of the judgment and order dated 09.09.2014 delivered by the Sessions Judge, North Tripura, Kailashahar in ST49(NT/K) of 2013.

It appears that for attempting rape the appellant petitioner has been convicted and sentenced to suffer three and a half years RI of outraging modesty with fine of Rs.1,000/- for committing offence punishable under Section 354 of the IPC and to pay a fine of Rs.500/- for committing house trespass under Section 448 of the IPC with default imprisonment.

Having regard to the nature of offence and the grounds as projected in the connected appeal this court is of the view that the sentence as aforestated may be suspended till disposal of the connected criminal appeal being Crl.A.(J) No.23 of 2015.

As corollary, the petitioner shall be allowed to remain on bail on furnishing a bail bond of Rs.10,000/- supported by one surety of the like amount to the satisfaction of the trial court subject to condition that as and when the petitioner shall be asked to appear before this court he shall without any pretext appear before this court.

Accordingly, this petition stands allowed and disposed of.