GAHC010174532020

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

Case No. : I.A.(Crl.)/564/2020

DURGA RAM BAURAH
S/O- LATE RAMESH CH. BARUAH, R/O- VILL.- PAKHAMELA UNDER HAJO POLICE STATION, IN THE DISTRICT OF KAMRUP, ASSAM.

VERSUS

THE STATE OF ASSAM AND ANR.
REP. BY THE P.P., ASSAM

2:GOLAK HAZARIKA
S/O- LATE MANIK HAZARIKA
R/O- SARUMATORIA
HARIMANDIR PATH
GUWAHATI-6
P.S. DISPUR
KAMRUP(M)
ASSAM

Advocate for the Petitioner : MR. P KATAKI

Advocate for the Respondent : PP, ASSAM

Linked Case : Crl.A./214/2020

DURGA RAM BAURAH
S/O- LATE RAMESH CH. BARUAH
R/O- VILL.- PAKHAMELA UNDER HAJO POLICE STATION
IN THE DISTRICT OF KAMRUP

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ASSAM.

Advocate for : MR. P KATAKI
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM AND ANR.

BEFORE
HONOURABLE MR. JUSTICE AJIT BORTHAKUR

ORDER

Date : 14.12.2020

Heard Mr. P. Kataki, learned counsel for the applicant/appellant as well as Ms. S.H. Bora, learned Addl. P.P., Assam appearing for the State respondent No. 1.

By this interlocutory application under Section 389 (2) Cr.P.C., the applicant/appellant, who is convicted and sentenced vide the impugned Judgment and Order, dated 23.11.2020, passed in Special Case No. 25/2017 by the learned Special Judge, Assam, Guwahati has prayed for suspension of sentence and to allow him to go on bail.

On hearing the learned counsel for both sides and perusal of the impugned Judgment and Order, dated 23.11.2020, passed in Special Case No. 25/2017 by the learned Special Judge, Assam, Guwahati, it is provided that the operation of the sentence passed therein shall remain stayed till disposal of the connected Criminal Appeal No.

214/2020. The applicant/accused is directed to be released on bail of Rs.20,000/- (Rupees Twenty Thousand) with one surety of like amount to the satisfaction of the learned Special Judge, Assam, Guwahati.

With the above directions, the Interlocutory Application stands disposed off.

JUDGE

Comparing Assistant