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

Case No. : I.A.(Crl.)/1069/2026

SANKAR MANDAL AND 4 ORS
SON OF MOHAN MANDAL
RESIDENT OF VILLAGE NO. 1
BISHNUPUR
POST OFFICE- BHOTAGAON
POLICE STATION- PANBARI
DISTRICT- CHIRANG
ASSAM
PIN- 783390

2: BASHUDEV MANDAL
SON OF MOHAN MANDAL
RESIDENT OF VILLAGE NO. 1
BISHNUPUR
POST OFFICE- BHOTAGAON
POLICE STATION- PANBARI
DISTRICT- CHIRANG
ASSAM
PIN- 783390

3: SUDEV MANDAL
SON OF RAICHARAN MANDAL
RESIDENT OF VILLAGE NO. 1
BISHNUPUR
POST OFFICE- BHOTAGAON
POLICE STATION- PANBARI
DISTRICT- CHIRANG
ASSAM
PIN- 783390

4: MONORANJAN MANDAL @ MONO MANDAL
SON OF SURESH CHANDRA MANDAL
RESIDENT OF VILLAGE NO. 1
BISHNUPUR

POST OFFICE- BHOTAGAON
POLICE STATION- PANBARI
DISTRICT- CHIRANG
ASSAM
PIN- 783390

5: SURENDRA MANDAL @ MUSHIRAM MANDAL
SON OF NITAL MANDAL
RESIDENT OF VILLAGE NO. 1
BISHNUPUR
POST OFFICE- BHOTAGAON
POLICE STATION- PANBARI
DISTRICT- CHIRANG
ASSAM
PIN- 783390
VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTORS ASSAM

Advocate for : MR. M AHMED
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM

BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN

ORDER

Date : 13.10.2026

Heard Mr. M. Ahmed, learned counsel for the applicants. Also heard Mr. P. Borthakur, learned Additional Public Prosecutor for the State respondent.

This application, under Section 430 of the BNSS, 2023, is preferred by the applicants for suspending the operation of the judgment and order of conviction and sentence dated 16.09.2026, passed by the learned Additional Sessions Judge, Bijni, Chirang, in Sessions Case No. 24 of 2019 (arising out of Panbari P.S. Case No. 114/2018); and also to allow them to remain on previous bail.

It is to be noted here that vide impugned judgment and order of conviction

and sentence dated 16.09.2026, the learned Additional Sessions Judge, Bijni, Chirang ('trial Court', for short) has convicted the applicants under Sections 143, 342/149, 325/149, 326/149 of the IPC, and sentenced them to undergo rigorous imprisonment for 6 (six) months under Section 143 the IPC; rigorous imprisonment for 1 (one) year for the offences under Sections 342/149 of the IPC; rigorous imprisonment for 2 (two) years and fine of Rs. 10,000/- with default stipulation for the offences under Sections 325/149 of the IPC; and rigorous imprisonment for 2 (two) years and fine of Rs. 10,000/- with default stipulation for the offences under Sections 326/149 of the IPC.

Mr. Ahmed, learned counsel for the applicants submits that after the judgment and order of conviction and sentence dated 16.09.2026, was passed, the learned trial Court had allowed the applicants to remain on previous and in view of the sentence so handed down by the learned trial Court, and also in view of the order of allowing them to remain on previous bail, he submits that the applicants may be allowed to remain on previous bail till disposal of the connected appeal.

Accordingly, taking note of the submission of Mr. Ahmed, learned counsel for the applicants and also considering the facts and circumstances on the record, especially the period of conviction, and further in view of admission of the connected appeal, this Court is inclined to allow this application.

Accordingly, the applicants are allowed to remain on previous bail till disposal of the connected appeal.

In terms of above, this I.A. stands disposed of.

JUDGE

Comparing Assistant