

GAHC010032522026



undefined

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

Case No. : CrI.A./79/2026

MD HAKIMUDDIN ALI
S/O SAYED SAFAT ALI, R/O VILL. NO 1 JAMBARI, P.S. BOKO, DIST.
KAMRUP, ASSAM.

VERSUS

THE STATE OF ASSAM
TO BE REPRESENTED BY THE PP, ASSAM.

Advocate for the Petitioner : MR. A AHMED, MR A AHMED,U U KHAN,MISS. P M
AHMED,MR. M A CHOUDHURY

Advocate for the Respondent : PP, ASSAM,

Linked Case : I.A.(CrI.)./185/2026

MD HAKIMUDDIN ALI
S/O SAYED SAFAT ALI
R/O VILL. NO 1 JAMBARI
P.S. BOKO
DIST. KAMRUP
ASSAM.

VERSUS

THE STATE OF ASSAM
REP BY THE PP
ASSAM

Advocate for : AZAD AHMED
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM

**BEFORE
HONOURABLE MR. JUSTICE ANJAN MONI KALITA**

ORDER

Date : --23.02.2026

1. Heard Mr. A. Ahmed, learned counsel for the accused appellant. Also heard Mr. K. Baishya, learned Additional Public Prosecutor for the State of Assam.

2. The connected I.A has been filed by the accused applicant under Section 430 of the Code of Bharatiya Nagarik Suraksha Sanhita, 2023 for suspension of sentence and to release the applicant on bail during the pendency of the appeal.

3. The accused applicant has been convicted by the Judgment dated 30.01.2026 passed by the learned Sessions Judge, Kamrup, Amingaoon, in Sessions Case No. 116/2017 convicting the accused appellant under Section 307 of IPC and sentencing him to undergo rigorous imprisonment for 3 years.

4. The learned counsel appearing for the accused applicant submits that the accused applicant failed to file any application before the Trial Court at the time of passing of the conviction order and consequently, he was sent to jail on the very same date by the learned Sessions Judge, Kamrup, Amingaon.

5. He submits that since the sentence is only for three (3) years and there are

sufficient materials for him to argue his case, he should, at this stage, during the pendency of the connected criminal appeal, be allowed to go on bail by suspending the judgment & order and sentence passed by the learned Sessions Judge, Kamrup, Amingaon, on 13.01.2026.

6. This Court, after perusing the materials on record and hearing the submissions made by the learned counsel for the respective parties, is of the considered view that the accused applicant should be allowed to go on bail at this stage by suspending the impugned Judgment dated 30.01.2026 and the Sentence order dated 03.02.2026.

7. Accordingly, it is directed that the accused applicant shall be released upon furnishing a bail bond of Rs. 30,000/- with one surety of like amount to the satisfaction of the learned Sessions Judge, Kamrup, Amingaon. The impugned Judgment dated 30.01.2026 and the Sentence order dated 03.02.2026 are hereby suspended during the pendency of the connected appeal.

8. In the aforesaid terms, the instant I.A. is disposed of.

JUDGE

Comparing Assistant