

GAHC010035552025



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

I.A.(Crl.)/177/2025

JAMIR ALI
SON OF BISHA SHEIKH
RESIDENT OF VILLAGE -TANONMARI
P.S. - HAJO
DISTRICT - KAMRUP
PIN-781102

VERSUS

THE STATE OF ASSAM AND ANR
BY THE PUBLIC PROSECUTOR
ASSAM

2:ALI AKBAR
S/O LT. BADSHA ALI
RESIDENT OF VILLAGE- TANONMARI
P.S - HAJO
DISTRICT - KAMRUP
PIN - 781102

Advocate for : MS. S NAZNEEN
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM AND ANR

Linked Case : **Case No. : Crl.A./71/2025**

JAMIR ALI
SON OF BISHA SHEIKH, RESIDENT OF - VILLAGE TANONMARI, P.S. - HAJO,
DISTRICT - KAMRUP, PIN-781102

VERSUS

THE STATE OF ASSAM AND ANR
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

2:ALI AKBAR
S/O LT. BADSHA ALI
RESIDENT OF VILLAGE- TANONMARI
P.S - HAJO
DISTRICT - KAMRUP
PIN - 78110

Advocate for the Petitioner : MS. S NAZNEEN, MR. J ISLAM,MR Z ALAM

Advocate for the Respondent : PP, ASSAM, MR SARFRAZ NAWAZ, AMICUS CURIAE (R2),R ISLAM (R-2)

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 19.01.2026

Heard Mr. Z Alam, the learned counsel appearing for the applicant. Also heard Mr. M P Goswami, the learned Addl. Public Prosecutor appearing for the State of Assam and Mr. S. Nawaz, the learned Amicus Curiae appearing for the respondent No. 2.

2. This is an application under Section 430 of the BNSS, 2023 praying for suspension of sentence imposed upon the applicant Jamir Ali.
3. The applicant Jamir Ali was convicted under Section 304 Part-II of the Indian Penal Code by the learned Additional Sessions Judge, Kamrup at Amingaon in Sessions Case No.227/2014.
4. Mr. Goswami has objected to this Interlocutory Application.
5. I have gone through the judgment. I have also considered the submissions made by the learned counsel of both sides.
6. The prayer of Mr. Alam is allowed.
7. It is hereby directed that the operation of the sentence imposed upon the applicant Jamir Ali by the learned Additional Sessions Judge, Kamrup at Amingaon in Sessions Case No.227/2014

shall remain suspended till disposal of the connected appeal.

8. The applicant Jamir Ali shall be released on bail of ₹50,000/- with a surety of like amount to the satisfaction of the learned Additional Sessions Judge, Kamrup at Amingaon.

With the aforesaid direction, this IA stands disposed of.

JUDGE

Comparing Assistant