

GAHC010237272023



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

Case No. : I.A.(Crl.)/1023/2023

KARTIK DAS,
S/O LATE KHITISH DAS,
VILL.- BISIMARI,
P.O. AND P.S.- FAKIRAGRAM,
DIST.- KOKRAJHAR (B.T.R.), ASSAM, PIN- 783345.

VERSUS

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

2:RANJIT KR. BISWAS
S/O SUDHIR CH. BISWAS

VILL.- RAMNATH PARA

P.S.- TAMARHAT

DIST.- DHUBRI
ASSAM
PIN- 783332

Advocate for the Petitioner : MR. M A MONDAL

Advocate for the Respondent : PP, ASSAM

Linked Case : CRL.A(J)/32/2023

KARTIK DAS
S/O LATE KHITISH DAS

VILL.- BISIMARI

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Advocate for : MR. M A MONDAL
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM AND ANR.

BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN

ORDER

Date : 08.11.2023

Heard Mr. M. A. Mandal, learned counsel for the applicant. Also heard Mr. B. Sarma, learned Addl. P. P. for the State respondent No.1.

This is an application, u/s 389 of Cr. P.C. is preferred by the applicant, namely, Sri Kartik Das for suspension of sentence and granting him bail. It is to be noted here that the petitioner stood convicted, vide judgment and order dated 11.2.2023, passed by the learned Special Judge, POCSO, Dhubri, in Special

Case No. 69/2017 u/s 363 IPC read with Section 4 of the POCSO Act and sentenced him to suffer rigorous imprisonment for a period of five years and also to pay a fine of Rs. 5,000/- with default stipulation u/s 363 IPC and also sentenced to suffer Rigorous imprisonment for 7 years and to pay a fine of Rs.15,000/- with default stipulation u/s 4 of the POCSO Act.

Perused the petition and the document placed on record.

Let notice be issued to the respondent returnable in two weeks.

Steps be taken by respondent No.2 by registered post with A/D and also by usual process within a week from today.

No formal notice is required to be issued to respondent No. 1, since Mr. Mr. B. Sarma, learned Addl. P.P. has appeared and accepted notice.

List the matter after two weeks.

JUDGE

Comparing Assistant