

GAHC010121922024



2026:GAU-AS:4698

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

**Case No. : I.A.(Crl.)/599/2024**

BISWANATH BISWAS AND ANR.  
S/O LATE NIMAI BISWAS, R/O DHIPUJJAN PAM, P.S.- PRAGJYOTISHPUR,  
DIST.- KAMRUP (METRO) ASSAM.

2: SUNIL BISWAS  
S/O BISWANATH BISWAS

R/O DHIPUJJAN PAM

P.S.- PRAGJYOTISHPUR  
DIST.- KAMRUP (METRO) ASSAM

VERSUS

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

2:ANANDA SARKAR  
S/O NARAYAN SARKAR

R/O NO. 1 BARPATHAR  
P.S.- BHURAGAON  
DIST.- MORIGAON  
PIN- 782121

**Advocate for the Petitioner** : MR. N UDDIN, MR. N ISLAM,MR. M HUSSAIN,MR S K  
CHHETRY

**Advocate for the Respondent** : PP, ASSAM,

Linked Case : CrI.A./199/2024

BISWANATH BISWAS AND ANR.  
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Advocate for : MR. N UDDIN  
Advocate for : PP  
ASSAM appearing for THE STATE OF ASSAM AND ANR.

**BEFORE**  
**HON'BLE MR. JUSTICE SANJEEV KUMAR SHARMA**  
**ORDER**

**01.04.2026**

Heard Mr A. Hawari, learned counsel for the applicant/appellant. Also heard Mr. R. J Baruah, learned Addl. PP for the State of Assam.

**2.** This I.A has been preferred seeking suspension of sentence and release of the applicant/appellant on bail. The applicant/appellant was convicted under Section 306/34 IPC and sentenced to undergo 7 years R.I out of which the applicant/appellant already spent more than 2 years behind the bars.

**3.** The law is well settled that when a sentence is for a fixed period, the same is to be suspended except for exceptional reasons.

**4.** Having regard to the above as well as the fact that the applicant/appellant has already spent more than 2 years behind bars, the prayer for release on bail is allowed.

**5.** The reminder of the sentence stands suspended and the petitioner is directed to be released on bail of Rs. 50,000/- (Rupees Fifty Thousand) with one surety of the like amount to the satisfaction of the learned Trial Court.

**6.** Accordingly, I.A stands disposed of.

**JUDGE**

**Comparing Assistant**