

GAHC010129802023



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

I.A.(CrI.)/505/2023

AKASH BHUMIJ
S/O LATE TANKE BHUMIJ RESIDENT OF VILLAGE RAJMAI
PS DEMOW
DIST SIVASAGAR
ASSAM

VERSUS

THE STATE OF ASSAM AND ANR.
REPRESENTED BY PP ASSAM

2:XXX
RE VICTIM GIRL REPRESENTED BY THE INFORMANT
SMTI REKHA GOWALA
W/O RUPAK GOWALA
RESIDENT OF RAJMAI KAKOJANGHAL GAON
PS RAJMAI
PS DIMOW
DIST SIVASAGAR
ASSAM

Advocate for : MR I HASSAN
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM AND ANR.

**BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA**

ORDER

16-06-2023

Heard Mr. I. Hasan, learned counsel for the applicant.

This Interlocutory Application has been filed by the applicant to suspend the judgment order dated 19.04.2023 passed by the Court of Additional Sessions Judge-cum-Special Judge, (POCSO), Sivasagar in case No. Special(POCSO) 41/2022 under Section 10 of POCSO Act by which the applicant was sentenced to undergo rigorous imprisonment for 5 years and to pay a fine of Rs.5,000/- and in default to under RI for 3 years and also to pay a fine of Rs.5,000/- in default to undergo RI for a period of 3 months under Section 354 of the IPC.

Let notice be issued, Returnable within 3 (three) weeks.

Ms. S.H. Borah, learned Additional Public Prosecutor, Assam, appears on behalf of the respondent no. 1, so notice is waived in respect of the respondent no.1. However, extra copies of the petition be served to Ms. S.H. Borah, learned Additional Public Prosecutor, Assam within a week from today.

Learned counsel for the applicant shall take steps for service of notice upon the respondent no.2 by registered post with A/D within a week from today.

The prayer for bail will considered after perusal of the LCR.

List accordingly.

JUDGE

Comparing Assistant