

GAHC010118652022



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

Case No. : I.A.(Crl.)/351/2022

DHIRAJ KUMAR KAKATI
S/O LATE HARICHANDRA KAKATI

RESIDENT OF VILLAGE GAJIA
PS AND DIST BARPETA
ASSAM

VERSUS

THE STATE OF ASSAM AND ANR.
REPRESENTED BY PP ASSAM

2:SAYA DAS
W/O DIPAK DAS
RESIDENT OF VILLAGE GAJIA
PS AND DIST BARPETA
ASSAM

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

**BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA**

ORDER

Date : 18.03.2026

- 1.** Heard Mr. D. K. Baidya, learned Counsel for the applicant. Also heard Mr. D. P. Goswami, learned Additional Public Prosecutor for the State of Assam and Mr. T. Deuri, learned Amicus Curiae, learned counsel for the respondent No.2.
- 2.** This is an application filed under Section 430 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying for suspension of sentence and allowing the applicant to go on bail.
- 3.** The applicant was convicted for 6 (six) years and he has already spent more than half of the sentence in judicial custody.
- 4.** I have considered the submissions made by learned counsel for the both sides.
- 5.** The prayer of the petitioner is allowed.
- 6.** The sentence imposed upon the applicant Dhiraj Kumar Kakati by the learned Additional Sessions Judge Cum Special Judge (POCSO), Barpeta in Special (POCSO) Case No.150/2021 shall remain suspended till disposal of the Connected Criminal Appeal.
- 7.** The applicant Dhiraj Kumar Kakati shall be released on bail of Rs.25,000/- each with a surety of like amount to the satisfaction of the learned Special Judge (POCSO), Barpeta.

8. With the aforesaid direction, the I.A. stands closed and disposed of.

JUDGE

Comparing Assistant