

GAHC010221072024



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

**Case No. : I.A.(Crl.)/1005/2024**

MD. ABUL BASHAR @ ABDUL BASHAR  
SON OF LATE GIASUDDIN, RESIDENT OF VILLAGE HAHCHARA, WARD  
NO. 10, UNDER POLICE STATION BHELEWGURI, IN THE DISTRICT OF  
MORIGAON, ASSAM.  
PIN - 782126

VERSUS

THE STATE OF ASSAM AND ANR.  
REPRESENTED BY PP ASSAM.

2:MD. MAINUL HAQUE  
SON OF LATE GIASUDDIN  
RESIDENT OF VILLAGE HAHCHARA  
UNDER BHELEWGURI POLICE STATION IN THE DISTRICT OF MORIGAON  
ASSAM.  
PIN - 78212

**Advocate for the Petitioner : MR D K BHATTACHARYYA,**

**Advocate for the Respondent : PP, ASSAM, MR. A GAUTAM**

**BEFORE**  
**HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI**  
**HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA**

**ORDER**

**Date : 18.11.2024**  
*(S. K. Medhi, J)*

Heard Shri. D. K. Bhattacharyya, learned counsel for the applicant, who by means of this application filed under Section 430(2)

of the BNSS, 2023 has prayed for suspension of conviction and sentence and release of applicant on bail.

The appeal has been preferred against the judgment dated 31.05.2017 passed by the learned Sessions Judge, Morigaon in Sessions Case No. 161/2015.

Let the notice be issued.

Ms. B. Bhuyan, learned Additional Public Prosecutor, Assam, accepts notice on behalf of the respondent No. 1 may file objection, if so advised.

Steps be taken for service of notice upon the respondent No. 2 in the manner prescribed.

Steps be taken within 2(two) working days.

List this matter after 6(six) weeks along with service report as well as for filing objections by the parties.

**JUDGE**

**JUDGE**

**Comparing Assistant**