

GAHC010221072024



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

**Case No. : I.A.(Crl.)/1005/2024 in
Crl.A./468/2023**

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 MRS. JUSTICE YARENJUNGLA LONGKUMER

ORDER

23.04.2025

(SK Medhi, J.)

Heard Shri DK Bhattacharyya, learned counsel for the applicant. Also heard Ms. B Bhuyan, learned Addl. PP, Assam.

In this application, notice was issued on 18.11.2024 and in the meantime, the State has filed written objection which is on record. The objection is mainly on the merits of the prayer of the applicant for suspension of sentence.

However, Shri Bhattacharyya, learned counsel has submitted that presently also, the mental health of the applicant is a matter of concern for which, proper treatment is necessary.

On the above aspect, we direct the learned Addl. PP to obtain instructions through her good office regarding the mental health condition of the applicant from the concerned Morigaon District Jail. The instruction is to be accompanied by a certificate of the Doctor of the concerned jail.

In the meantime, noticing that the TCRs have been received, we direct preparation of the paper book.

List this case on 14.05.2025.

A copy of this order be furnished to Ms. R Das, learned counsel assisting the learned Addl. PP for doing the needful.

JUDGE

JUDGE

Comparing Assistant