

GAHC010251352023



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

I.A.(Crl.)/1153/2023

GIRIN GOGOI  
S/O LT. GULAP GOGOI  
VILL.- PATSAKU BAILUNG GAON  
P.S.- BOKOTA NEMUGURI  
DIST.- SIVASAGAR  
ASSAM.

VERSUS

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

2:GAYATRI PHUKAN  
W/O SRI GUNUTTAM PHUKAN

VILL.- PATSAKU BAILUNG GAON

P.S.- BOKOTA NEMUGURI

DIST.- SIVASAGAR  
ASSAM.

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Advocate for : MR. K BORUAH  
Advocate for : PP  
ASSAM appearing for THE STATE OF ASSAM AND ANR.

**Linked Case No. : Crl.A./437/2023**

GIRIN GOGOI  
S/O LT. GULAP GOGOI,  
VILL.- PATSAKU BAILUNG GAON,  
P.S.- BOKOTA NEMUGURI,

DIST.- SIVASAGAR, ASSAM.

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VILL.- PATSAKU BAILUNG GAON

P.S.- BOKOTA NEMUGURI

DIST.- SIVASAGAR  
ASSAM

**Advocate for the Petitioner** : MR. K BORUAH, MS P DAS

**Advocate for the Respondent** : PP, ASSAM, MS B CHOUDHURY, AMICUS  
CURIAE(R-2)

**BEFORE**  
**HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA**

**ORDER**

**Date :** 23.04.2026

Heard Mr. K. Boruah, learned counsel appearing for the applicant. Also heard Mr. Bhaskar Sharma, learned Additional Public Prosecutor, Assam and Ms. B. Choudhury, learned Amicus Curiae representing the respondent no. 2.

This is application filed under Section 389(1) of the CrPC, 1973 praying for suspension of sentence.

By Judgment and Order dated 17.10.2023 the learned Special Judge, POCSO, Sivasagar in Special POCSO Case No. 06/2023, the applicant Sri Girin Gogoi was sentenced to undergo Rigorous Imprisonment for a period of 5 (five) years and also to pay a fine of Rs.5000/-,in default, to undergo further Rigorous Imprisonment for a period of 3 (three)

months.

The applicant has already undergone more than 3 (three) years in jail.

I have gone through the materials available in the record. Also, I have considered the submission made by the learned counsel representing both sides.

Considering entire aspect of the matter, the petitioner Sri Girin Gogoi is allowed to go on bail, who is in jail in connection with the Judgment and Order dated 17.10.2023 passed by the learned Special Judge, POCSO, Sivasagar in Special POCSO Case No. 06/2023, by executing a bail bond of Rs.50,000/- with one surety of like amount to the satisfaction of the learned Special Judge, POCSO, Sivasagar.

The interlocutory application is disposed of.

**JUDGE**

**Comparing Assistant**