

GAHC010264042025



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

Case No. : I.A.(Crl.)/1303/2025

DIPAK RUSAL
SO SRI ROHIT RUCHAL, RO VILL NO 2 BAIJANTIPUR, PO JOYRAMPUR, PS
GOGAMUKH, DIST DHEMAJI, ASSAM, PIN 787026

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, GAUHATI HIGH COURT,
GUWAHATI, ASSAM

2:SRI BHAKTA SIRUWAL
SO LATE KHARGA BAHADUR SIRUWAL
RO VILL NO 2 BAIJANTIPUR
PO JOYRAMPUR
PS GOGAMUKH
DIST DHEMAJI
ASSAM
PIN 78702

Advocate for the Petitioner : MD. A SAHAD, POMPA CHOUDHURY

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

Date : 19.01.2026
[Manish Choudhury, J.]

Heard Mr. A. Sahad, learned counsel for the applicant-appellant and Mr. R.R. Kaushik,
learned Additional Public Prosecutor for the opposite party-respondent no. 1, State of Assam.

This application under Section 430, Bharatiya Nagarik Suraksha Sanhita [BNSS], 2023 is preferred seeking suspension of the execution of sentence passed against the applicant-appellant and for release on bail.

Issue notice, returnable on 25.02.2026.

As Mr. Kaushik has appeared and accepted notice on behalf of the opposite party-respondent no. 1, issuance of formal notice in respect of the said respondent stands dispensed with. However, the learned counsel for the applicant-appellant shall serve a copy of the application along with annexures, to Mr. Kaushik within 3 [three] working days from today.

The opposite party-respondent no. 1 shall file his objection on or before the returnable date.

As Mr. Tiwari has been allowed to represent the opposite party-respondent no. 2, Mr. Sahad, learned counsel for the applicant-appellant shall also serve a copy of the application to Mr. Tiwari within 3 [three] working days from today.

The learned Legal Aid Counsel representing opposite party-respondent no. 2 shall also file objection to the instant application on or before the returnable date, if so advised.

JUDGE

JUDGE

Comparing Assistant