

GAHC010264302023



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

I.A.(CrI.)/794/2025

HAFIZUR RAHMAN
S/O - MD SAMAT ALI
R/O - VILL NO. 2 UDAIPUR GAON
PS - DEMOW
DIST - SIVASAGAR
ASSAM
PIN - 785662

VERSUS

THE STATE OF ASSAM AND ANR.
REPRESENTED BY PP
ASSAM

2:RUMI DAS
W/O - JIBA DAS
R/O - VILLAGE NO. 2
UDAIPUR GAON
PS - DEMOW
DIST - SIVASAGAR
ASSAM
PIN - 785662

Advocate for : MR. T DEURI
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM AND ANR.

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

ORDER

18.12.2025

Heard Ms. R.S. Deuri, learned counsel for the applicant-appellant and Mr. M.P. Goswami, learned Additional Public Prosecutor, Assam for the opposite party-respondent no. 1 State.

2. The instant interlocutory application is preferred by the applicant-appellant seeking suspension of execution of the sentence passed against him in a Judgment and Order dated 22.09.2022 passed by the Court of learned Special Judge [POCSO], Sivasagar in Special [POCSO] Case no. 50/2021 and for his release on bail.

3. Issue notice, returnable on 11.02.2026.

4. As Mr. Goswami, learned Additional Public Prosecutor has appeared and accepted notice on behalf of the opposite party-respondent no. 1 State, issuance of formal notice to the opposite party-respondent no. 1 is dispensed with. The learned counsel for the applicant-appellant shall furnish an extra copy of the memo of appeal along with the annexures to Mr. Goswami within 2 [two] working days from today.

5. The applicant-appellant shall take steps for service of notice upon the opposite party-respondent no. 2-informant in terms of the Practice Direction laid down in the Notification no. 17 dated 15.03.2024.

6. The learned Additional Public Prosecutor shall obtain a report from the jurisdictional Officer In-Charge as regards the service of notice upon the opposite party-respondent no. 2-informant and place the same before the Court on or before the returnable date.

7. The prayer made in this interlocutory application will be considered after receipt of the TCR.

8. The learned Additional Public Prosecutor shall file objection to the interlocutory application on or before the returnable date, if so advised.

8. List the case on 11.02.2026.

JUDGE

Comparing Assistant