

GAHC010132152024



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

I.A.(CrI.)/611/2024

BILLAL ALI @ BILLAL HUSSAIN  
S/O BHASAN ALI  
VILL.- JAHURPAM  
P.S. AND P.O.- BARPETA  
DIST.- BAPETA  
ASSAM.

VERSUS

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

2:SHAHJAHAN ALI  
S/O LATE DAGU MIA

VILL.- JAHURPAM  
P.S. AND P.O.- BARPETA  
DIST.- BAPETA  
ASSAM  
PIN- 781301..

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Advocate for : MR. N HAQUE  
Advocate for : PP  
ASSAM appearing for THE STATE OF ASSAM AND ANR.

Linked Case : **Case No. : CrI.A./206/2024**

BILLAL ALI @ BILLAL HUSSAIN  
S/O BHASAN ALI,  
VILL.- JAHURPAM, P.S. AND P.O.- BARPETA, DIST.- BAPETA, ASSAM.

VERSUS

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

2:SHAHJAHAN ALI  
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VILL.- JAHURPAM  
P.S. AND P.O.- BARPETA  
DIST.- BAPETA  
ASSAM  
PIN- 781301.

**Advocate for the Petitioner** : MR. N HAQUE, MR. A K AZAD, MR M HUSSAIN, MR K UDDIN

**Advocate for the Respondent** : PP, ASSAM, MD A ALI (R-2)

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

**ORDER**

**Date : 30.05.2025**

Heard Mr. P K Roy Choudhury, the learned counsel appearing for the applicant. Also heard Mr. B Sarma, the learned Addln. Public Prosecutor appearing for the State of Assam as well as Mr. A Ali, the learned counsel appearing for the informant.

2. This application has been filed under Section 389 of the Code of Criminal Procedure praying for suspension of sentence and for allowing the applicant to go on bail.

3. The applicant Billal Ali @ Billal Hussain was convicted under Section 304 Part-I of the Indian Penal Code and sentenced to undergo rigorous imprisonment by the learned Sessions, Barpeta in Sessions Case No. 376/2015.

4. The informant has objected to this application on the ground that if the

applicant goes out of jail, he will start threatening the informant again.

5. I have also gone through the impugned judgment.

6. I have considered the submissions made by the learned counsels of both sides.

7. It is hereby directed that the sentence imposed upon the applicant Billal Ali @ Billal Hussain in Sessions Case No. 376/2015 by the learned Sessions Judge, Barpeta shall remain stayed till disposal of the connected appeal.

8. The applicant Billal Ali @ Billal Hussain shall be released on bail of ₹25,000/- with a surety of like amount to the satisfaction of the learned Sessions Judge, Barpeta.

With the aforesaid directions, the criminal petition stands disposed of.

**JUDGE**

**Comparing Assistant**