

**IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPEAL NO. _____ OF 2024
[arising out of SLP (Crl.) No. 10927/2023]

BIPUL DEY

Appellant

VERSUS

THE STATE OF ASSAM & ANR.

Respondents

ORDER

1. Leave granted.
2. The appellant stands convicted for the offence punishable under Section 302 Indian Penal Code, 1860. Post conviction, he has suffered incarceration for a little in excess of three years.
3. Due to his minor daughter's ailing physical condition (she is a cancer patient), the appellant sought for temporary bail citing that the child requires to be taken to Kolkata for treatment. He was granted interim bail.
4. The High Court by the impugned order dated 3rd August, 2023 extended the period of interim bail granted earlier for a further period from 8th August to 7th September, 2023. A direction followed that on 8th September, 2023, the appellant shall positively surrender before the District Jail, Nagaon.
5. Pursuant to interim orders passed on the special leave petition, out of which the criminal appeal arises, the appellant has been on bail since then.

6. Keeping in mind the fact that the child of the appellant is suffering from a dreaded disease as well as the fact that his wife is also 45% orthopedically handicapped and, therefore, not in a position to accompany the child for the purpose of her treatment at Kolkata, we have considered it proper to pass the following directions:

(i) The appeal pending before the High Court, being Criminal Appeal No. 391 of 2019, is expedited. The High Court shall make sincere endeavour to decide the same within six months from date.

(ii) Till such time the appeal is finally decided, the appellant shall continue to remain on interim bail.

(iii) In the event, the appeal cannot be decided for some reason or the other during the next six months, it shall be open to the appellant to make a further prayer for extension of interim bail, granted hereby, before the High Court which shall be considered in accordance with law.

7. The appeal stands disposed of on the aforesaid terms.

8. Pending application(s), if any, stand disposed of.

.....J.
[DIPANKAR DATTA]

.....J.
[SANDEEP MEHTA]

**New Delhi;
December 02, 2024.**

ITEM NO.38

COURT NO.16

SECTION II

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Special Leave to Appeal(Crl.) No(s). 10927/2023

[Arising out of impugned final judgment and order dated 03-08-2023
in IA (CRL) No. 667/2023 passed by the Gauhati High Court]

BIPUL DEY

Petitioner(s)

VERSUS

THE STATE OF ASSAM & ANR.

Respondent(s)

IA No. 176198/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT

IA No. 176193/2023 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/
FACTS/ANNEXURES

Date : 02-12-2024 The matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPANKAR DATTA
HON'BLE MR. JUSTICE SANDEEP MEHTA

For Petitioner(s) Mr. Manish Goswami, Sr. Adv.
Mr. Priyank Adhyaru, Adv.
Mr. Priyankoo Gogoi, Adv.
Mr. Fayaz, Adv.
Mr. Rameshwar Prasad Goyal, AOR

For Respondent(s) Mr. Debojit Borkakati, AOR
Ms. Aakansha Kaul, Adv.
Mr. Aman Sahani, Adv.
Ms. Rhea Borkotoky, Adv.
Mr. Akash Saxena, Adv.
Ms. Ashima Chopra, Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. Leave granted.
2. The appeal stands disposed of in terms of the signed order.
3. Pending application(s), if any, stand disposed of.

(JATINDER KAUR)
P.S. to REGISTRAR

(SUDHIR KUMAR SHARMA)
COURT MASTER (NSH)

[Signed order is placed on the file]