

GAHC010001892026



2026:GAU-AS:525

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

Case No. : Crl.Pet./9/2026

KABIR UDDIN ALIAS KABIR AHMED
SON OF LATE ALA UDDIN
RESIDENT OF VILL- BONUGRAM, P.S. NILAMBAZAR, DIST. SRIBHUMI,
ASSAM
VERSUS
THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR H R CHOUDHURY, Z HUSSAIN

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 19.01.2026

- 1.** Heard Mr. H. R. Choudhury, learned counsel for the petitioner. Also heard Ms. S. H. Bora, learned Additional Public Prosecutor for the State of Assam.
- 2.** This is an application filed under Section 528 read with Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in respect of the Order dated 25.07.2025 and the subsequent orders passed by the learned Sessions Judge, Sribhumi in Special NDPS Case No.27/2025.
- 3.** The petitioner has been shown as an absconder in the Charge-Sheet, he has

received summons and he apprehends that since he is shown as an absconder in the Charge-Sheet he will be remanded to custody, if he appear before the Trial Court.

4. Learned Additional Public Prosecutor has objected to this petition on the ground that commercial quantity of Narcotic Drugs was recovered in this case and therefore scanned copy of the Trial Court record should be called for.

5. I have considered the submissions made by learned counsel for both sides.

6. Since the petitioner is interested in facing the trial, this Court is of the opinion that the petitioner deserves to be given one opportunity to that effect.

7. Therefore, this Criminal Petition of the petitioner is allowed.

8. The petitioner, Kabir Uddin @ Kabir Ahmed is directed to appear before the Trial Court in respect of Special NDPS Case No.27/2025 within next 10 (ten) days and on his appearance, he shall be allowed to go on fresh bail of Rs.50,000/- with a surety of like amount to the satisfaction of the learned Special Judge (NDPS), Sribhumi.

9. It is further directed that the petitioner shall regularly appear before the Trial Court on each and every date of hearing, if he fails to do so, the Trial Court shall have the liberty to procure his attendance in accordance with the procedure as laid down by law.

10. With the aforesaid direction, the Criminal Petition stands disposed of.

JUDGE

Comparing Assistant