

GAHC010003372026



2026:GAU-AS:643

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

**Case No. : Crl.Rev.P./6/2026**

MAKIBOR RAHMAN ALIAS MUKIBOR RAHMAN  
S/O LATE KUTUBUDDIN AHMED, R/O VILL. PIALIKHATA, P.O. BAIHATA  
CHARIALI, P.S. CHANGSARI, DIST. KAMRUP, ASSAM, PIN 781381

VERSUS

THE STATE OF ASSAM  
REP BY THE PP, ASSAM

**Advocate for the Petitioner** : MR. S MUNIR, MS. L ISLAM, MR. M ALI  
**Advocate for the Respondent** : PP, ASSAM,

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

**ORDER**

**Date : 21.01.2026**

- 1.** Heard Mr. S. Munir, 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 442 read with Section 438 of the Bharatiya Nagarik Suraksha Sanhita, 2023, challenging the Order dated 23.12.20225, passed by the learned Chief Judicial Magistrate, Kamrup (Metro) at Guwahati in G.R. Case No.4433/2010.

**3.** The petitioner Makibor Rahman @ Mukibor Rahman is an accused before the Trial Court.

**4.** On 23.12.2025, he filed an application showing reasons for his absence in the Court and prayed for recalling the non-bailable warrant of arrest issued against him. The Trial Court did not do so and refused the prayer of the petitioner.

**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, the prayer of the petitioner is allowed.

**8.** The warrant of arrest issued against the present petitioner Makibor Rahman @ Mukibor Rahman in respect of G.R. Case No.4433/2010 shall be recalled.

**9.** The petitioner is directed to appear before the Trial Court on 22.01.2026 and on his appearance, he shall be allowed to go on fresh bail of Rs.25,000/- with a surety of like amount to the satisfaction of the learned Chief Judicial Magistrate, Kamrup (Metro) at Guwahati.

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

**JUDGE**

**Comparing Assistant**