

GAHC010007172026



2026:GAU-AS:593

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

Case No. : Crl.Pet./40/2026

GULAJAR HUSSAIN ALIAS GULJAR HUSSAIN ALIAS GULZAR
S/O SABBIR AHMED
VILL- SOUTH KEUTI
P.S. PATHARKANDI,
DIST. SRIBHUMI (KARIMGANJ), ASSAM

VERSUS

THE STATE OF ASSAM AND ANR
REP BY THE PP, ASSAM

2:ABHIJIT GOGOI
SUB INSPECTOR OF POLICE

I/C OF LONGAI PP
P.S. SRIBHUMI (KARIMGANJ)
DIST. SRIBHUMI (KARIMGANJ)

Advocate for the Petitioner : MR. M A CHOUDHURY, MISS. P M AHMED, MR A AHMED, U U KHAN, MR. A AHMED

Advocate for the Respondent : PP, ASSAM,

**BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA**

ORDER

Date : 20.01.2026

- 1.** Heard Mr. A. Ahmed, 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 of the Bharatiya Nagarik Suraksha Sanhita, 2023 read with Article 227 of the Constitution of India in respect of the Order dated 26.08.2025 and the subsequent orders passed by the learned Additional Sessions Judge, Sribhumi in Special NDPS Case No.97/2024.
- 3.** Learned counsel for the petitioner submits that the petitioner had received summons but he could not arrange a surety that is why he did not appear before the Trial Court. Ultimately, Trial Court have to issue NBWA against him. The petitioner now wants to appear before the Trial Court with a surety.
- 4.** I have considered the submissions made by learned counsel for both sides.
- 5.** The petitioner, Gulajar Hussain @ Guljar Hussain @ Gulzar is directed to appear before the Trial Court of the learned Additional Sessions Judge, Sribhumi in connection with Special NDPS Case No.97/2024 on 28.01.2026 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 Trial Court.
- 6.** The warrant of arrest, if issued, shall be recalled.

7. 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 by due process of law.

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

JUDGE

Comparing Assistant