

GAHC010034672026



2026:GAU-AS:2787

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

Case No. : Crl.Pet./253/2026

MEHER ALI AND ANR
SON OF FAJAL HOQUE
R/O VILL- SOHID ALI CHAR, P.S. BHANGNAMRI, DIST. NALBARI, ASSAM,
PIN-781312.

2: FAJAL HOQUE @ FAJAL ALI
S/O MAJIBAR ALI
R/O VILL- SOHID ALI CHAR
P.S. BHANGNAMARI
DIST. NALBARI
ASSAM
PIN-78131

VERSUS

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

2:AHAN UDDIN
VILL- OUDUBI PT.II

P.S. JOIGHOPA
DIST. BONGAIGAON
ASSAM

MOBILE NO. 887623397

Advocate for the Petitioner : J U AHMED, MR. N K MURRY,MR. R K MUSHAHARY

Advocate for the Respondent : PP, ASSAM,

BEFORE
HON'BLE MRS. JUSTICE MITALI THAKURIA
ORDER

24-02-2026

Heard Mr. J. U. Ahmed, learned counsel for the petitioners and Mr. P. Borthakur, learned Additional Public Prosecutor, Assam for the respondent No.2.

2. This is an application filed under Section 528 BNSS read with Section 438 of the said Code but surprisingly there is nothing in the record as to by which order they have got aggrieved or to be set aside and quashed by the present petition.

3. Further from the submission as well as from the case record it is seen that the petitioners were shown as absconder in the case record wherein they have filed two adjournment petitions, which were allowed by the learned Trial Court fixing the case on 07.04.2026 for their appearance.

4. Mr. Borthakur, learned APP submitted in this regard that there is nothing in this petition to be entertained, wherein the adjournment petitions were allowed by the learned Trial Court and the next date is fixed on 07.04.2026 for their appearance. Thus, there is no order by which the petitioners are aggrieved with to entertain this petition or to pass any order accordingly.

5. Heard the submissions made by the learned counsel for both sides. It is seen that the petitioners were duly represented by their engaged counsel in two occasions before the learned Trial Court which were accordingly allowed and the next date of fixed on 07.04.2026 for their appearance and till date there is no order of issuance of any NBWA against the petitioners to be aggrieved with.

6. However, considering the submission made by learned counsel for the petitioners, all the petitioners are hereby directed to appear before the learned Special

Judge (P) with an appropriate application for bail, which may be considered in accordance with law.

7. With the above observation and directions, this criminal petition stands disposed of.

JUDGE

Comparing Assistant