

GAHC010035792026



2026:GAU-AS:2980

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

Case No. : Crl.Pet./268/2026

ROSIDUL LSLAM
S/O BABUL AHMED
VILL- BALITIKA GAON, P.S. LALUK
DIST. NORTH LAKHIMPUR, ASSAM, PIN-787031

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR. M ALI, H R KHAN

Advocate for the Respondent : PP, ASSAM,

BEFORE
HON'BLE MRS. JUSTICE MITALI THAKURIA

ORDER

26-02-2026

Heard Mr. M. Ali, learned counsel for the petitioner and Mr. P. S. Lahkar, learned Additional Public Prosecutor, Assam.

2. This is an application filed under Section 528 BNSS against the impugned order dated 25.09.2025, passed by the learned JMFC, Sonitpur, Tezpur in PRC

Case No. 847/2024, whereby Non-Bailable Warrant of Arrest (NBWA) has been issued against the present petitioner for his non appearance.

3. It is submitted by Mr. Ali, learned counsel that the petitioner was regularly appearing before the learned Trial Court and even through his engaged counsel the steps was taken in the case he could not appear before the learned Trial Court. But on 30.06.2025, he could not appear before the learned Trial Court as he was working in Arunachal Pradesh for his livelihood and the engaged counsel also did not take any steps for him and for which the BWA was issued by the learned Trial Court and the petitioner was not aware about the issuance of the BWA. On the very next date i.e., on 25.09.2025 it has been held by the learned Trial Court that the BWA has been executed on the petitioner and on that very day, the NBWA was issued against the petitioner along with other for their non appearance.

4. However, the petitioner is ready and willing to contest the case by appearing before the learned Trial Court on each and every date to be fixed by the Court, if he is provided with some interim protection by suspending the NBWA issued against him.

5. Mr. Lahkar, learned APP submitted in this regard that the petitioner may be directed to appear before the learned Trial Court with some strict directions.

6. Hearing the submissions made by the learned counsel for the parties and considering the overall conduct the petitioner, he is directed to appear before the learned Trial Court with an appropriate application for bail, which may be considered in accordance with law.

7. The next date of the case is fixed on 23.03.2026.

8. Considering the submissions made by the learned counsel for the

petitioner, till next of listing i.e., 23.03.2026, the NBWA issued against the present petitioner shall remain suspended.

9. With the above observation, this petition stands disposed of.

JUDGE

Comparing Assistant