

GAHC010045572026



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

Case No. : Crl.Rev.P./124/2026

NANDA DAS
S/O LATE UHINI CH. DAS, R/O DASPARA MANKACHAR, P.O. AND P.S.
MANKACHAR, DIST. SOUTH SALMARA MANKACHAR, ASSAM.

VERSUS

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

2:SRI NITYA NANDA DAS
S/OLATE OPIN DAS
R/O DASPARA MANKACHAR
DIST. SOUTH SALMARA-MANKACHAR
ASSAM
PIN-78313

Advocate for the Petitioner : MR. D A KAIYUM, MR. M S MONDAL

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE RAJESH MAZUMDAR

ORDER

Date : 28.08.2026

Heard Mr. D.A. Kaiyum, learned counsel for the petitioner. Also heard Mr. K.K. Parasar, learned Additional Public Prosecutor appearing for the State.

2. The service report on the respondent No.2 as called for by this Court through the learned Additional Public Prosecutor, has not yet been received.
3. The learned counsel for the petitioner has submitted that the petitioner is not seeking bail on merit with regard to the allegation levelled on the petitioner, but has challenged the order dated 19.01.2026, in which, Non-bailable Warrant of Arrest (NBWA), against the accused has been issued for his single day of absence.
4. The learned counsel for the petitioner has submitted that on all previous occasion, after receipt of summons, the petitioner had entered appearance through his counsel.
5. The learned counsel has submitted that the petitioner would appear before the learned Court and face his trial.
6. The learned Additional Public Prosecutor has submitted that the NBWA have been issued after due consideration by the learned Trial Court and does not required to be interfered by this Court.
7. I have considered the submissions made by the learned counsel for both sides.
8. Since this is not a bail petition on merits, the requirement of serving notice on the respondent No.2 for consideration of NBWA issued against the petitioner due to non appearance on a single day, in my opinion, would only delay the trial.
9. In such view of the matter, I am of the opinion that the petitioner shall appear before the trial Court within **18.09.2026** to participate in the trial proceeding as and when required by the trial Court.

10. Till the date of his appearance, the NBWA issued against the petitioner shall be kept in abeyance.

11. On his appearance, the petitioner may pray for regular bail before the trial Court, which shall be considered in accordance with merit as to whether he is required to be taken into custody for facing the trial.

Criminal Revision petition is disposed of.

JUDGE

Comparing Assistant