

GAHC010051042026



2026:GAU-AS:3774

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

Case No. : Crl.Pet./369/2026

SRI JADAV BORAH
S/O PADMA BORAH
RESIDENT OF VILL- DA- PARBOTIA LENGA CHUBURI,P.S. TEZPUR, DIST.
SONITPUR, ASSAM
VERSUS
THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. R BARUAH,
Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 16.03.2026

- 1.** Heard Mr. R. Baruah, learned Counsel for the petitioner. Also heard Mr. D. P. Goswami, 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, in respect of PRC Case No.1180/2018, pending in the Court of the learned Sub-Divisional Judicial Magistrate, Tezpur, Sonitpur.
- 3.** The petitioner is an accused before the Court below. He has submitted that without serving summons upon him, the Court has directed issue of NBWA against

him.

4. The petitioner submits that he is interested in facing the Trial and therefore he deserves to be given adequate opportunity to that effect.

5. I have considered the submissions made by the learned counsel for both sides.

6. Since the petitioner is interested in facing the trial, he deserves to be given an adequate opportunity. Therefore, his application is allowed.

7. All orders directing issue of NBWA against him in respect of PRC Case No.1180/2018 are set aside.

8. The petitioner Jadav Borah is directed to appear before the Court of the learned Sub-Divisional Judicial Magistrate, Tezpur, Sonitpur in respect of PRC Case No.1180/2018 within a period of 10 (ten) days from today and on his appearance, he shall be released on bail of Rs.25,000/- with a surety of like amount to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Tezpur, Sonitpur.

9. The petitioner is directed to regularly appear before the Court below 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.

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

JUDGE

Comparing Assistant