

GAHC010062682026



2026:GAU-AS:4359

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

**Case No. : Crl.Pet./446/2026**

NUR ALOM  
S/O ABDUL MAZID  
R/O HATIZUZUA  
P.S. JAJORI  
DIST. NAGAON, ASSAM

VERSUS

THE STATE OF ASSAM  
REP BY THE PP, ASSAM

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

**Advocate for the Respondent** : PP, ASSAM,

**BEFORE**  
**HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA**

**ORDER**

**Date : 26.03.2026**

- 1.** Heard Mr. A. Ahmed, 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 Special (NDPS) Case No.13/2025, pending in the Court of the learned Special Judge, Goalpara.

**3.** After filing of the Charge-sheet, summons and non-bailable warrant of arrest were issued against the petitioner, Nur Alom. However, those were not served properly. Subsequently, the Trial Court directed issue of non-bailable warrant of arrest against the present petitioner. He therefore filed the bail application before the Court below and his bail application was dismissed by the Trial Court.

**4.** Today, learned counsel for the petitioner has pointed out that although the case has been registered under Section 22(c) and 29 of the NDPS Act, there is no FSL report in this case, though the seized contraband articles were sent for forensic examination.

**5.** The petitioner submits that he is interested in facing the trial therefore he deserves to be given adequate opportunity to contest the case.

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

**7.** Since, the petitioner is interested in facing the trial, he deserves to be given adequate opportunity to that effect.

**8.** Therefore, his application is allowed.

**9.** The petitioner Nur Alom is directed to appear before the Court of the learned Special Judge, Goalpara in respect of Special (NDPS) Case No.13/2025, within a period of 10 (ten) days from today and on his appearance, the petitioner shall be released on bail of Rs.25,000/- with a surety of like amount to the satisfaction of the learned

Special Judge, Goalpara.

**10.** The petitioner, Nur Alom is directed to appear regularly appear before the Trial Court on each and every date of hearing. If he fails to do so without showing proper reasons, the Trial Court shall have the liberty to procure his attendance by following due process of law.

**11.** With the aforesaid direction, this Criminal Petition stands disposed of.

**JUDGE**

**Comparing Assistant**