

GAHC010063592026



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

Case No. : Crl.Pet./454/2026

MD ASHAHAK ALI
S/O NAUSAD ALI
R/O VILL- KAKARABARI,
P.O. BOKO, PIN- 781123, P.S. BOKO
DIST. KAMRUP (R), ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. S SINGH, B. D. KAKATI,MR. D SARMAH

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 23.04.2026

Heard Mr. D Sarmah, the learned counsel appearing for the petitioner. Also heard Mr. Bhaskar Sarma, the learned Additional Public Prosecutor for the State of Assam.

2. This is an application under Section 528 of the BNSS, 2023 in respect of G. R.

Case No.2120/2016 pending in the Court of the learned Judicial Magistrate First Class, Lakhimpur, North Lakhimpur.

3. For absence of the petitioner before the trial court, the trial court issued Non-Bailable Warrant of Arrest against the petitioner **Md. Ashahak Ali**. The petitioner has explained the reasons for his absence before the trial court.

4. Mr. Sarmah submits that the petitioner is interested in facing the trial and therefore, the petitioner should be given adequate opportunities to that effect.

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

6. Since the petitioner is interested in facing the trial, therefore he deserves to be given adequate opportunities to that effect.

7. Therefore, the Criminal Petition filed by the petitioner is allowed.

8. Since the petitioner is interested in facing the trial, therefore, all orders directing issue of Non-Bailable Warrant of Arrest against the petitioner are set aside.

9. It is hereby directed that the petitioner **Md. Ashahak Ali** is directed to appear before the Court of the learned Judicial Magistrate First Class, Lakhimpur, North Lakhimpur in respect of G. R. Case No.2120/2016 within next 10 (ten) days from today.

10. On his appearance, the petitioner **Md. Ashahak Ali** shall be released on bail of ₹25,000/- (Rupees Twenty Five Thousand) with a surety of like amount to the satisfaction of the learned Judicial Magistrate First Class, Lakhimpur, North Lakhimpur.

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

JUDGE

Comparing Assistant