

GAHC010063772026



2026:GAU-AS:4522

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

Case No. : Crl.Pet./463/2026

SRI AJAY KUMAR ALIAS AJAY KR YADAV
SON OF SHRI BHUVANESWARI YADAV RESIDENT OF GODHIYARI ROAD
NEAR ANGANWADI CENDRA WARD NO 4 PO SIMRAHA PS MADHEURA
DISTRICT MATIAHI MADHEPURA BIHAR 752121
VERSUS
THE STATE OF ASSAM AND ANR
REPRESENTED BY THE PP, ASSAM
2:MUNNI BAWRI
WIFE OF SHRI BIHU BAWRI RESIDENT OF VILLAGE BARJULI TEA ESTATE
PS RANGAPARA PO BORJULI DISTRICT SONITPUR ASSAM 78450

Advocate for the Petitioner : MR. D RABHA, MS. D BORA, MS. D KEOT
Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 30.03.2026

- 1.** Heard Mr. G. Baishya, learned counsel for the petitioner. Also heard Mr. Bhaskar Sharma, learned Additional Public Prosecutor for the State of Assam.
- 2.** This is an application filed under Section 528 read with Section 482(1) of the Bharatiya Nagarik Suraksha Sanhita, 2023, in respect of PR Case No.1399/2018 pending in the Court of the learned Judicial Magistrate First Class, Tezpur, Sonitpur.

- 3.** The petitioner, being a resident of Bihar, submits that he did not receive any notice in respect of the case; however, the Trial Court proceeded to direct the issuance of a bailable warrant of arrest against him.
- 4.** The petitioner submits that he wants to contest the case before the Trial Court and, therefore, he should 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, Ajay Kumar @ Ajay Kr. Yadav is interested in facing the trial, he deserves to be given adequate opportunity to that effect.
- 7.** Therefore, all orders directing issue of bailable warrant of arrest against him are set aside.
- 8.** The petitioner, Ajay Kumar @ Ajay Kr. Yadav is directed to appear before the Court of the learned Judicial Magistrate First Class, Tezpur, Sonitpur in respect of PR Case No.1399/2018 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 Judicial Magistrate First Class, Tezpur, Sonitpur.
- 9.** With the aforesaid direction, this Criminal Petition stands disposed of.

JUDGE

Comparing Assistant