

GAHC010065802026



2026:GAU-AS:4885

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

Case No. : Crl.Pet./493/2026

RABBUL AHMED ALIAS RABBUL ISLAM AND ANR
S/O MIRAJUL ISLAM, R/O WEST SINGIMARI, PS RUPOHIHAT, DIST
NAGAON, ASSAM

2: RAJU AHMED ALIAS AKIAL HUSSAIN
S/O MIRAJUL ISLAM
R/O WEST SINGIMARI
PS RUPOHIHAT
DIST NAGAON
ASSA

VERSUS

STATE OF ASSAM
TO BE REPRESENTED BY THE LEARNED PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : SAMIM RAHMAN, MR. A TARAFDAR, R MALI, A MISHRA, MD
A RAHMAN

Advocate for the Respondent : PP, ASSAM,

**BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA**

ORDER

Date : 02.04.2026

- 1.** Heard Mr. A. Mishra, learned counsel for the petitioners. Also heard Mr. K. Baishya, learned Additional Public Prosecutor for the State of Assam.
- 2.** This is an application under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in respect of PRC Case No.307/2025, pending in the Court of the learned Judicial Magistrate First Class, Nagaon.
- 3.** The petitioners, Rabbul Ahmed @ Rabbul Islam and Raju Ahmed @ Akial Hussain are accused before the Trial Court. On some dates, they could not appear before the Trial Court and, therefore, [Non-Bailable Warrant Of Arrest \(NBWA\)](#) was directed to be issued against them. The petitioners have shown cause of their absence on those dates.
- 4.** I have considered the submissions made by the learned counsel for both sides.
- 5.** Since, the petitioners are interested in facing the trial, they should be given adequate opportunity to that effect. Therefore, the prayer of the petitioners is allowed.
- 6.** All orders directing issue of Non-Bailable Warrant Of Arrest (NBWA) against the petitioners are set aside.
- 7.** The petitioners, Rabbul Ahmed @ Rabbul Islam and Raju Ahmed @ Akial Hussain are directed to appear before the Court of the learned Judicial Magistrate First Class, Nagaon in connection with PRC Case No.307/2025 within a period of 10 (ten)

days from today and on their appearance, the petitioners, named above, shall be released on fresh bail of Rs.25,000/- each with sureties of like amount to the satisfaction of the learned Judicial Magistrate First Class, Nagaon.

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

JUDGE

Comparing Assistant