

GAHC010067602026



2026:GAU-AS:4877

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

Case No. : Crl.Pet./496/2026

JAMILA BEGUM AND 4 ORS.
WIFE OF ATAB UDDIN
RESIDENT OF VILL- USHNABAZ, P.S. BADARPUR, DIST. SRIBHUMI,
ASSAM.

2: DILWARA BEGUM
D/O SIDDEK ALI
RESIDENT OF VILL- USHNABAZ
P.S. BADARPUR
DIST. SRIBHUMI
ASSAM

3: RENU BIBI
WIFE OF SIDDEK ALI
RESIDENT OF VILL- USHNABAZ
P.S. BADARPUR
DIST. SRIBHUMI
ASSAM.

4: HUSSAIN AHMED
SON OF LATE ELHAS ALI
RESIDENT OF VILL- USHNABAZ
P.S. BADARPUR
DIST. SRIBHUMI
ASSAM.

5: MASHUK AHMED @ MASUK AHMED
SON OF LATE ELHAS ALI
RESIDENT OF VILL- USHNABAZ
P.S. BADARPUR
DIST. SRIBHUMI
ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR. M AHMED, MR A HAI

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 02.04.2026

- 1.** Heard Mr. M. Ahmed, 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.1265/2025 (arising out of G. R. Case No.2265/2024) registered under Section 117/109/103(2) of the BNS, 2023, pending in the Court of the learned Judicial Magistrate First Class (II), Sribhumi.
- 3.** The petitioners, (1). Jamila Begum, (2). Dilwara Begum, (3). Renu Bibi, (4). Hussain Ahmed and (5). Mashuk Ahmed @ Masuk Ahmed are shown as absconders in the Charge-Sheet alleging commission of Sessions Triable offences. Therefore, learned Judicial Magistrate First Class-II, Sribhumi issued summonses to them. The petitioners apprehend that as this Court does not have the jurisdiction to entertain their bail application, therefore they will be remanded to custody.
- 4.** The petitioners have submitted that they are interested in facing the trial though they are shown absconders in the Charge-Sheet.

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

6. 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.

7. The petitioners, 1). Jamila Begum, (2). Dilwara Begum, (3). Renu Bibi, (4). Hussain Ahmed and (5). Mashuk Ahmed @ Masuk Ahmed are directed to appear before the learned Judicial Magistrate First Class (II), Sribhumi in connection with PRC Case No. 1265/2025 within a period of 10 (ten) days from today and on their appearance, the petitioners shall be released on bail of Rs.25,000/- each with sureties of like amount to the satisfaction of the learned Judicial Magistrate First Class (II), Sribhumi.

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

JUDGE

Comparing Assistant