

GAHC010220762025



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

Case No. : Crl.Rev.P./408/2025

NASER ALI AND ORS

S/O- LATE JHARU SHEIKH

R/O- VILL.- ROWA PART-II, THER THERI PARA, P.S.- DHUBRI, DIST.-
DHUBRI, ASSAM.

2: SAMSUL HOQUE

S/O- NASER ALI.

R/O- VILL.- ROWA PART-II

THER THERI PARA

P.S.- DHUBRI

DIST.- DHUBRI

ASSAM.

3: SAMIDUL HOQUE

S/O- NASER ALI.

R/O- VILL.- ROWA PART-II

THER THERI PARA

P.S.- DHUBRI

DIST.- DHUBRI

ASSAM.

4: MAFIJJUL HOQUE @ MONI

S/O- NASER ALI.

R/O- VILL.- ROWA PART-II

THER THERI PARA

P.S.- DHUBRI

DIST.- DHUBRI

ASSAM

VERSUS

THE STATE OF ASSAM AND ORS

REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

2:MOHIBUL HOQUE
S/O- BAIDUL ALI @ HUSSAIN.
VILL- ROWA PART-II P.S. AND DIST- DHUBRI ASSAM PIN- 783331

3:SIDDIQUE ALI
S/O- MESER ALI .
VILL- ROWA PART-II P.S. AND DIST- DHUBRI
ASSAM
PIN- 78333

Advocate for the Petitioner : MS. R CHOUDHURY, MR. Z. HUSSAIN,MD. MEMON AHMED

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

26.09.2025

Heard Ms. R. Choudhury, learned counsel for the petitioners and Mr. R. Kaushik, learned Addl. P.P., Assam for the State.

This is an application filed under Section 438/442 of the BNSS, 2023 challenging the order dated 01.09.2025 passed by the learned Additional Chief Judicial Magistrate, Dhubri in PRC Case No.1634/2019 by which the petitioners were impleaded as accused persons by taking recourse to Section 319 of the Cr.P.C.

Issue notice to the respondents.

Petitioners to take steps for service of notice upon the respondent Nos.2 and 3 by registered post with A/D as well as by usual process.

Mr. R. Kaushik, learned Addl. P.P., Assam appears for the respondent No.1 and as such, no formal notice is required to be sent to the said respondent.

Call for the scanned copy of the Trial Court Record in connection with PRC Case No.1634/2019 pending in the Court of learned Additional Chief Judicial Magistrate, Dhubri.

List the matter on 23.10.2025.

During the pendency of the instant petition, the impugned order dated 01.09.2025 may remain stayed.

JUDGE

Comparing Assistant