

GAHC010250172025



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

Case No. : Crl.Pet./1395/2025

LATIF EARSHAD ALIAS LATIF IRSHAD AND 2 ORS
S/O ABDUL LATIF

2: TAHIRUL HUSAIN
S/O LT. SARIFUL HUSSAIN

3: YASIM HUSSAIN
W/O TAHIRUL HUSSAIN
ALL RESIDENTS OF BABUPATTY
MRIDUL PATH
WARD NO. 12
MAIN ROAD SIVASAGAR P.S.
P.O. AND DIST. SIVASAGAR
ASSAM
PIN -78564

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM.

Advocate for the Petitioner : MR P KATAKI, MS. A LALA, MRS R BEGUM

Advocate for the Respondent : PP, ASSAM,

**BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA**

ORDER

14.11.2025

- 1.** Heard Mr. P. Kataki, the learned counsel for the petitioners. Also heard Mr. B. Sarma, the learned Additional Public Prosecutor, Assam.
- 2.** This application under Section 528 of the BNSS, 2023, has been filed by the petitioners, namely, 1. Sri Latif Earshad @ Latif Irshad, 2. Md. Tahirul Husain and 3. Musstt Yasim Hussain, impugning the order dated 27.05.2025 as well as order dated 10.06.2025, passed by the learned Sessions Judge, Sivasagar, Assam in Sessions Case No. 04(S-S) of 2025, arising out of Bokota Nemuguri P.S. Case No. 11/2024, whereby the prayer for grant of Zimma in favour of the present petitioner of the seized item was rejected.
- 3.** Perusal of the records as well as records of the concerned case as well as committal Case Diary would be necessary for deciding this criminal petition.
- 4.** Hence, call for the scanned copy of the records of Sessions Case No. 04(S-S) of 2025 as well as scanned copy of the Case Diary of Bokota Nemuguri P.S. Case No. 11/2024, as well as the Case Diary of Simaluguri P.S. Case No. 24/2024 be called for from the trial court.
- 5.** The Registry to take steps for requisitioning the scanned copy of the trial court records, whereas, the learned Additional Public Prosecutor, Assam is requested to produce the Case Diary of Simaluguri P.S. Case No. 24/2024.
- 6.** Let this case be listed on 8th December, 2025.

JUDGE

Comparing Assistant