

GAHC010258062025



2026:GAU-AS:649

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

Case No. : Crl.Pet./1452/2025

MD MUZIBUR RAHMAN
SON OF LATE MD. AFTAB UDDIN
R/O VILL- CHARARPAR, ASIMGANJ
P.S. PATHERKANDI,
PIN-788724, DIST. SRIBHUMI, ASSAM
VERSUS
THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR H R A CHOUDHURY, MR. R A CHOUDHURY

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 21.01.2026

1. Heard Mr. J. M. Sulaiman, learned counsel for the petitioner. Also heard Ms. S. H. Bora, learned Additional Public Prosecutor for the State of Assam.

2. This is an application filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in respect of G.R. Case No.11454/2014, pending in the Court of the learned Judicial Magistrate First Class, Kamrup (Metro) at Guwahati.

3. The petitioner is an Army personnel working at Meerut Cantonment. Warrant of arrest was directed to be issued against him for his non-appearance before the Trial Court.

4. The petitioner submits that because of his job he did not appear before the Trial Court.

5. According to the learned counsel for the petitioner, the petitioner is interested in facing the Trial and therefore he deserves to be given adequate opportunity to that effect.

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

7. Since the petitioner is interested in facing the Trial, he should be given an adequate opportunity to that effect. Therefore, prayer of the petitioners is allowed.

8. All orders directing issue of non-bailable warrant of arrest against the present petitioner Md. Mujibur Rahman in respect of G.R. Case No.11454/2014 is set aside.

9. The petitioners, Md. Mujibur Rahman is directed to appear before the Trial Court of the learned Judicial Magistrate First Class, Kamrup (Metro) at Guwahati in respect of G.R. Case No.11454/2014 within next 10 (ten) days from today and on his appearance, they 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, Kamrup (Metro) at Guwahati.

10. With the aforesaid direction, the Criminal Petition stands disposed of.

JUDGE

Comparing Assistant