

GAHC040000912026



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

Case No. : Crl.Petn./8/2026

Salma Khatun
Wife of Md Ashwad Ullah, resident of Village Palahjuri, PO Garukhuti, Batabori, PS
Lahorighat, Morigaon District, Assam. 782127

VERSUS

The State of AP
represented by the PP of AP

Advocate for the Petitioner : Gautam Phukan,

Advocate for the Respondent : P P of AP,

BEFORE
HONOURABLE MRS. JUSTICE YARENJUNGLA LONGKUMER

ORDER

22/01/2026

Heard learned counsel for the petitioner, Mr. Gautam Phukan.

2. The present application under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed by the petitioner assailing the impugned order dated 23.06.2025 passed by the learned Special Judge (NDPS), Yupia, Papum Pare District in NDPS Case No. 31/2022 arising out of Banderdewa P.S Case No. 01/2020 under Sections 21(b) of the NDPS Act, by which the bail

granted to the accused was cancelled and the bailor was discharged; and the accused was taken into custody and it is alleged that the impugned order dated 23.06.2025 was passed without issuing any notice to the accused person and without giving him an opportunity of being heard.

3. Issue notice returnable within 4 (four) weeks.
4. The learned Additional Public Prosecutor, Ms. L. Hage accepts notice on behalf of the State respondent.
5. The Registry is directed to call for the scan copy of the Trial Court Records from the Court concerned.

List the matter after 2 (two) weeks.

JUDGE

Comparing Assistant