

GAHC010053422024



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

Case No. : Crl.Pet./280/2024

MERAJUL HAQUE @ ALI
S/O LT. TABAR ALI
VILL- KHALISAVITA MUSLIMPARA
P.O. KHALISAVITA, P.S. LAKHIPUR
DIST. GOALPARA, ASSAM
PIN-783330

VERSUS

THE STATE OF ASSAM AND ANR
REP. BY THE PP, ASSAM

2:MUNSER ALI
S/O LT. BUNDA SK.
VILL- BORO BHODYEAGURI
P.S. AND DIST. KOKRAJHAR
ASSA

Advocate for the Petitioner : MR Z HUSSAIN

Advocate for the Respondent : PP, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI**

ORDER

14.03.2024

Heard Mr. Z. Hussain, learned counsel for the petitioner and Mr. D. Das, learned Addl. P.P for the State respondents.

This is an application under Section 482 of Cr.PC, 1973 read with Article 227 of the Constitution of India alongwith the Orders dated 21.11.2019, 12.05.2023 and 09.02.2024 passed in Sessions Case No. 169/2018 (Sessions Case No. T2/169/2018) corresponding to GR Case No. 1058/2017 under Sections 448/376 IPC) by the learned Sessions Judge, whereby NBWA and P/A have been issued against the petitioner.

It appears from the pleadings that the petitioner was granted bail. Thereafter, the petitioner stopped appearing before the Trial Court from 2019 for which by Orders dated 21.11.2019, 12.05.2023 and 09.02.2024 the learned Sessions Judge in Sessions Case No. 169/2018 issued NBWA and P/A against the petitioner. As such, the present criminal petition was filed under Section 482 of Cr.PC.

This Court is of the considered view that since the petitioner has defaulted the conditions of bail and has continued remaining absent before the Trial Court since 2019, no interference is warranted in the Orders dated 21.11.2019, 12.05.2023 and 09.02.2024 passed by the learned Sessions Judge in Sessions Case No. 169/2018, whereby NBWA and P/A were issued against the petitioner

for non appearance.

Accordingly, this criminal petition stands dismissed.

JUDGE

Comparing Assistant