

GAHC010071942024



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

**Case No. : Crl.Pet./394/2024**

SAJID AHMED TAPADAR @ MUNNA  
S/O LATE SAHID AHMED TAPADAR,  
R/O VILL- NAHARPUR (MALUA)  
PO.S. BADARPUR  
DIST. KARIMGANJ, ASSAM

VERSUS

THE STATE OF ASSAM  
TO BE REP. BY THE LEARNED PP, ASSAM

**Advocate for the Petitioner : MR. A R BHUYAN**

**Advocate for the Respondent : PP, ASSAM**

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

**ORDER**

**Date : 05.04.2024**

Heard Mr. A. R. Bhuyan, learned counsel for the petitioner. Also heard Ms. A. Begum, learned Additional Public Prosecutor for the State respondent.

This application has been filed under Section 482 of the Code of Criminal

Procedure, 1973 filed by the petitioner, namely, Sajid Ahmed Tapadar @ Munna, impugning the order dated 09.02.2024 passed by learned Additional Sessions Judge, Karimganj, in Special (NDPS) Case No. 12/2020, whereby non-bailable warrant was issued against the present petitioner.

Learned counsel for the petitioner has submitted that in Special (NDPS) Case No. 12/2020, charge-sheet was laid against the present petitioner under Section 22(c)/29 of the NDPS Act, 1985 showing present petitioner as an absconder in the charge-sheet.

Though, it is also submitted that though the trial court had initially issued summons to the present petitioner, the present petitioner could not appear before the trial court and the engaged counsel of the petitioner took steps on his behalf and upon showing cause of his absence the trial was placed to fix another date for his appearance before the learned trial court.

On 09.02.2024, when the Special (NDPS) Case No. 12/2020 was fixed before the trial court, the petitioner could not appear before the said Court due to some personal difficulty and due to communication gap with counsel he could not have taken steps and the trial Court issued non-bailable warrant against him by the said order, which has been impugned in this instant criminal petition.

Learned counsel for the petitioner has submitted that the petitioner is willing to cooperate in his trial and shall appear before the trial Court on next date fixed.

However, as non-bailable warrant of arrest has been issued against him, he only needs interim protection so as to facilitate him to appear before the trial Court.

I have also heard learned Additional Public Prosecutor.

Considering the facts of this case as well as submissions made by learned

counsel for the petitioner, this Criminal Petition is disposed of with a direction to the petitioner, namely, Sajid Ahmed Tapadar @ Munna to appear before the Court of learned Additional Sessions Judge, Karimganj, in Special (NDPS) Case No. 12/2020 within a period of 10 days from the date of this order.

To facilitate his appearance before the trial court, the non-bailable warrant of arrest against the present petitioner shall be kept under suspension for next 10 days.

On his appearance before the trial Court, he may pray for any relief to which he may be entitled to under the law.

With above observation, this Criminal Petition is hereby disposed of.

**JUDGE**

**Comparing Assistant**