

GAHC010080802024



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

Case No. : Crl.Pet./503/2024

ABDUL KALAM LASKAR
S/O MONIR UDDIN LASKAR
R/O VILL- KACHUDARAM PART-IV,
P.S. SONAI
DIST. CACHAR, ASSAM

VERSUS

THE STATE OF ASSAM
THROUGH LD. PP, ASSAM

Advocate for the Petitioner : MR. M H LASKAR, M. HOSSAIN,MR. S ROY

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 25.10.2024

Heard Mr. S. Roy, learned counsel for the petitioner. Also heard Mr. B. Sarma, learned Additional Public Prosecutor for the State.

This application has been preferred under Section 482 Cr.P.C. against the impugned order dated 15.02.2024 and subsequent orders passed by the learned Special Judge, Cachar, Silchar in connection with NDPS Case No. 05/2024(arising out of Sonai P.S. Case No. 32/2023),

whereby NBWA was issued against the petitioner.

It is submitted by the learned for the petitioner that no any contraband item was recovered from the conscious possession of the petitioner. The contraband items were seized from the back side of the house of the petitioner. The petitioner did not receive any notice from the learned trial court. Subsequently, NBWA issued against the petitioner as he was shown absconder in the charge-sheet. Therefore, he has prayed that NBWA issued against the petitioner may be recalled.

On the other hand, Mr. Sarma, learned Additional Public Prosecutor has submitted that one anticipatory bail application vide AB No. 4313/2023 filed on behalf of the petitioner which was dismissed by the Co-ordinate Bench of this Court. There are sufficient incriminating materials available in the record against the petitioner. However, the petitioner may approach before the learned trial court seeking regular bail.

I have considered the submissions made by the learned counsel for the parties.

In view of the above, the petitioner is directed to appear before the trial court and in the event of filing any bail application, the trial court will consider the matter in accordance with law.

The criminal petition stands disposed of.

JUDGE