

GAHC010096292024



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

Case No. : Crl.Pet./574/2024

PRASANTA SARMA @ PARESH SARMA
S/O BHABANI SARMA, R/O VILL- KHUDRA BHALUKI, P.S.-
PATACHARKUCHI, DIST-BAJALI (BARPETA), ASSAM, PIN-781314

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. S D ROY

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

17.05.2024

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

By this application under Section 482 Cr.P.C., the petitioner has prayed for quashing of the order dated 03.10.2023 issuing NBWA against the petitioner by the CJM, Bajali, Pathsala in connection with GR Case No. 1134/2016 under Section 14 of the Assam Game & Betting Act.

It is submitted by the learned counsel for the petitioner that charge sheet has been submitted against one Paresh Sarma. But the petitioner is known by both the names Paresh Sarma and Prasanta sarma but notice was issued against the petitioner in the name of Paresh Sarma as such he did not appear before the trial court. Accordingly, warrant of arrest was issued against the present petitioner. However, the petitioner is now ready to face the trial and prayed that warrant of arrest issued against the petitioner be recalled.

Mr. B. Sarma, learned Additional Public Prosecutor also submitted that the petitioner may appear before the 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 within 10 days from today and in the event of filing any bail application, the same will be considered in accordance with law.

Till such appearance of the petitioner before the trial court, the warrant of arrest issued against the petitioner shall be kept in abeyance.

Accordingly, criminal petition stands disposed of.

JUDGE

Comparing Assistant