

GAHC010110762024



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

Case No. : Crl.Pet./677/2024

HASANUR ISLAM @ RAHMAN
S/O SER ALI, R/O KADAMTOLA PT II, P.O. AND P.S.-BILASIPARA, DIST-
DHUBRI, ASSAM, PIN-783348

VERSUS

THE STATE OF ASSAM AND ANR
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

2:JOBAN ALI
S/O LT. TOMEJ ALI SK
R/O GUTIPARA PT-I
P.O. AND P.S.-BILASIPARA
DIST- DHUBRI
ASSA

Advocate for the Petitioner : MR P K DAS

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 12.06. 2024

Heard Mr. P.K. Das, learned counsel for the petitioner and Mr. D.P. Goswami, learned
Addl. PP for the State respondent No.1

This is an application under Section 482 Cr.P.C. read with Article 227 of the

Constitution of India against the impugned order dated 02.05.2024, passed by the learned Special Judge, Bilaspur in Special (POCSO) Case No. 72/2023.

The learned counsel for the has submitted that the petitioner was shown absconder in the charge sheet and he was not present during investigation as he being the daily wage earner, went to Kerala and as such he has no knowledge about the pendency of this case and prays for recalling the warrant of arrest issued against the petitioner.

On the other hand, learned Addl. P.P. has submitted that as the petitioner was shown absconder in the charge sheet he may approach before the trial court to seek regular bail.

I have perused the orders of the trial Court and it reveals that the petitioner was shown absconder in the charge sheet. Though bailable warrant was issued against him, he did not appear before the trial Court. Subsequently, NBWA was issued.

In view of the above, the petitioner is directed to surrender before the trial court and in the event of filing any bail application, the same shall be considered in accordance with law.

The criminal petition stands disposed of.

JUDGE

Comparing Assistant