

GAHC010159792024



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

Case No. : Crl.Pet./955/2024

IKRAMUL HUSSAIN @ IKRAM HUSSAIN
S/O MAZIBUR RAHMAN
VILL- GUNAIBORI
P.S. MOIRABARI
DIST. MORIGAON, ASSAM

VERSUS

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

2:S.I. (P) KALPAJYOTI BORA
MOIRABARI POLICE STATION

DIST. MORIGAON
ASSA

Advocate for the Petitioner : U U KHAN, MR A AHMED,MR. A AHMED,MR. M A
CHOUDHURY

Advocate for the Respondent : PP, ASSAM,

**BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA**

ORDER

Date : 12.08.2024

Heard Mr. A. Ahmed, learned counsel for the petitioner. Also heard Mr. D. Das, learned Additional Public Prosecutor for the State of Assam.

2. This is an application under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, challenging the order dated 16.07.2024 passed by the learned Special Judge, Morigaon, Assam in N.D.P.S Case No.74/2021.

3. The petitioner was shown as absconder in a Charge-Sheet filed under different provisions of NDPS Act. The petitioner wants to face the trial, but he apprehends that whenever he will appear before the Court, he will be remanded to custody because he was shown as an absconder in the Charge-Sheet.

4. I have considered the submissions made by the learned counsel of both the sides. Since the petitioner wants to face the trial, he should be given an opportunity to do so.

5. It is hereby directed that on his appearance before the Trial Court, the petitioner Ikramul Hussain @ Ikram Hussain shall be released on bail of Rs.25,000/- with one surety of like amount with the satisfaction of the learned Special Judge, Morigaon, Assam

6. With the aforesaid direction the Criminal Petition stands disposed of.

JUDGE

Comparing Assistant