

GAHC010175412024



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

Case No. : Crl.Pet./1071/2024

LETTON R. MARAK
S/O STING SANGMA
R/O TAPAGAREK
P.S. MENDI PATHAR
DIST. NORTH GARO HILLS, MEGHALAYA.

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR F HAQUE, MR A ISLAM, MR. S K M ALOMGIR

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 28.10.2024

Heard Mr. F. Haque, learned counsel appearing for the petitioner. Also heard Mr. M. P. Goswami, learned Additional Public Prosecutor for the State of Assam.

This is an application under Section 528 of the BNSS, 2023 has been filed challenging the orders passed by the learned SDJM(S), Goalpara in respect of

GR Case No. 1526/2016 directing the issuance of Non-bailable Warrant of Arrest against the present petitioner.

The petitioner was earlier facing the trial in respect of GR Case No. 1526/2016 in the Court of the learned SDJM(S), Goalpara. He submits that because of COVID-19, he could not appear in the Trial Court. Ultimately, the Trial Court directed issuance of Non-bailable Warrant of Arrest against him.

The petitioner submits that he is interested in facing the trial.

I have considered the submissions made by the learned counsels for both the sides.

Since, the petitioner is interested in facing the trial, he deserves to be given an opportunity to that effect. Therefore, all the orders directing issue of Non-bailable Warrant of Arrest against the present petitioner, namely, Letton R. Marak are set aside.

It is directed that in the event of appearance before the Court of the learned SDJM(S), Goalpara, in respect of GR Case No. 1526/2016, the petitioner, namely, Letton R. Marak shall be allowed to go on bail of Rs.20,000/- (Rupees Twenty Thousand) with a surety of lime amount to the satisfaction of learned SDJM(S), Goalpara.

With the aforesaid observation, the criminal petition stands disposed of.

JUDGE

Comparing Assistant