

GAHC010197152024



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

Case No. : Crl.Pet./1176/2024

KAMRUL ZAMAL @ KAMRUL ZAMAN
S/O LATE SHER MOHMAD
R/O SILPUKHURI, HEDAYETPUR
P.S. LATASIL,
PIN-781003
DIST. KAMRUP (M), ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR. S ALIM, MR. D ZAKARIA

Advocate for the Respondent : PP, ASSAM,

:: BEFORE ::

HON'BLE MR. JUSTICE PARTHIVJYOTI SAIKIA

O R D E R

24.09.2024

Heard Mr. S. Alim, the learned counsel representing the petitioner. I have also heard Mr. R.J. Baruah, the learned Addl. Public Prosecutor, Assam representing

Respondent No.1.

2. This is an application under Section 528 of the BNSS, 2023 challenging the order dated 29.06.2024 passed by the learned Special Judge, NDPS, Kamrup (Metro), Guwahati in NDPS Case No.148/2023.
3. On 29.06.2024, the Special Judge was on leave. On that day, the petitioner Kamrul Zamal @ Kamrul Zaman was also absent without any steps till 12.30 P.M. Therefore, the In-charge, Special Judge, NDPS directed issue of non-bailable warrant of arrest against the present petitioner.
4. The petitioner now wants to face the trial. Therefore, without any further deliberation on the point, the prayer of the petitioner is allowed.
5. The impugned order dated 29.06.2024 directing issue of non-bailable warrant of arrest against the present petitioner Kamrul Zamal @ Kamrul Zaman is set aside. The petitioner is directed to appear before the trial court on 26.09.2024. He shall be allowed to remain on previous bail.

With the aforesaid direction, the criminal petition is disposed of.

JUDGE

Comparing Assistant