GAHC010112482026

2026:GAU-AS:8498

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

Case No. : Crl.Pet./846/2026

RAM JANAM RAY
S/O NARSINGH RAY, R/O VILL CHANDAPURA, PO RAGHOPUR, PS RAGHOPUR, DIST VAISHALI, BIHAR 844508

VERSUS

UNION OF INDIA
REPRESENTED BY THE DIRECTORATE OF REVENUE INTELLIGENCE
GUWAHATI ZONAL UNIT, GUWAHATI

Advocate for the Petitioner : A MISHRA,

Advocate for the Respondent : SC, DRI,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 15.06.2026

1. Heard Mr. A. Mishra, learned counsel for the petitioner. Also heard Ms. P. S. Chakraborty, learned Standing Counsel, DRI.

2. This is an application filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking quashing of the NBWA issued against the petitioner,

Ram Janam Ray in respect of NDPS Case No.173/2022, pending in the Court of the learned District and Sessions Judge, Kamrup (M) at Guwahati.

3. The petitioner, Ram Janam Ray has been shown as an absconder in the Charge-sheet. Summons was issue to him in spite of that he did not appear. Therefore, the Trial Court directed issue of NBWA against him.

4. Learned counsel for the petitioner has submitted that the petitioner has the apprehension that he might be remanded to custody because he has been shown as an absconder in the Charge-sheet and that is the reason why he did not appear before the Trial Court.

5. The petitioner submits that he is unnecessarily implicated in this case and, therefore, he wants to contest the case. The petitioner submits that he is interested in facing the trial and therefore he deserves to be given adequate opportunity to contest the case.

6. I have considered the submissions made by the learned counsel of both sides.

7. Since the petitioner is interested in facing the trial, he should be given adequate opportunity to that effect. Therefore, his application is allowed.

8. All orders directing issue of NBWA against the present petitioner, Ram Janam Ray are set aside.

9. The petitioner, Ram Janam Ray is directed to appear before the learned District and Sessions Judge, Kamrup (M) at Guwahati in connection with NDPS Case No.173/2022 within a period of 15 (fifteen) days from today and on his appearance,

he shall be allowed to go on bail of Rs.25,000/- with a surety of like amount to the satisfaction of the learned District and Sessions Judge, Kamrup (M) at Guwahati.

10. With the aforesaid direction, this criminal petition stands disposed.

JUDGE

Comparing Assistant