GAHC010124382026

2026:GAU-AS:8956

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

Case No. : Crl.Pet./905/2026

MIRAJUL ALI
S/O- JOHUR ALI RESIDENT OF VILLAGE - GERGERIA PS- PATACHARKUCHI
DIST- BAJALI ASSAM

VERSUS

THE STATE OF ASSAM AND ANR
REPRESENTED BY THE P.P, ASSAM.
2:SRI AMINUL HAQUE
S/O- LATE GIYASUDDIN RESIDENT OF VILLAGE - MATANGA PS- SALBARI
DIST- BAKSA KOTAR ASSAM. PIN-78132

Advocate for the Petitioner : MR A HAWARI, MR. R ISLAM
Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 22.06.2026

1. Heard Mr. A. Hawari, learned counsel for the petitioner. Also heard Mr. D. P. Goswami, learned Additional Public Prosecutor for the State of Assam.

2. This is an application filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in respect of PRC Case No.510/2022 (Supplementary), pending in the Court of the learned Sub-Divisional Judicial Magistrate (S) Baksa, Mushalpur.

3. In the case before the Court below, all the witnesses were examined and at the time of recording of statement of the accused girl under Section 313 of the Cr.PC. The petitioner stopped appearing in the court below. Therefore, the Trial Court directed issue of NBWA against him. In the meantime, the co-accused was acquitted by the Trial Court on 26.04.2023.

4. The case is pending for a long time. Therefore, this Court is of the opinion that for early disposal of the case against the petitioner, his application should be allowed.

5. Therefore, all orders directing issue of NBWA as well as P&A against the present petitioner, Mirajul Ali are set aside.

6. The petitioner, Mirajul Ali is directed to appear before the Court below on 01.07.2026 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 Sub-Divisional Judicial Magistrate (S) Baksa, Mushalpur.

7. With the aforesaid direction, this criminal petition stands disposed of.

JUDGE

Comparing Assistant