

GAHC010045962026



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

Case No. : Crl.Pet./315/2026

DILIP KUMAR GOWALA AND 2 ORS
S/O LATE NARAYAN GOWALA, R/O WARD NO 10, NUNIAPATTY, P.O. AND
P.S. DHUBRI, DIST. DHUBRI, ASSAM.

2: MANJU GOWALA
D/O LATE NARAYAN GOWALA
R/O WARD NO 10
NUNIAPATTY
P.O. AND P.S. DHUBRI
DIST. DHUBRI
ASSAM.

3: PRADIP GOWALA
S/O LATE NARAYAN GOWALA
R/O WARD NO 10
NUNIAPATTY
P.O. AND P.S. DHUBRI
DIST. DHUBRI
ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM.

Advocate for the Petitioner : MR H NATH, MR. D GOGOI

Advocate for the Respondent : PP, ASSAM,

**BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA**

ORDER

Date : 10.03.2026

Heard Mr. D Gogoi, the learned counsel appearing for the petitioners. Also heard Mr. K Baishya, the learned Additional Public Prosecutor appearing for the State of Assam.

2. This is an application under Section 528 of the BNSS, 2023 in respect of PRC Case No.107/2026 pending in the Court of the learned Chief Judicial Magistrate, Dhubri.

3. The petitioners Dilip Kumar Gowala, Manju Gowala & Pradip Gowala are shown as absconder in the charge-sheet and therefore, the learned Chief Judicial Magistrate issued summons against them in respect of PRC Case No. 107/2026. Now, the petitioners apprehend that if they appear before the trial court, they will be remanded to custody because this Court has no jurisdiction to entertain their bail application.

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

5. Mr. Gogoi submits that the petitioners are interested in facing the trial and therefore, they should be given adequate opportunities to that effect.

6. Since the petitioners are interested in facing the trial, they deserves to be given adequate opportunity to face the trial.

7. Therefore, the prayer of the petitioners is allowed.

8. The petitioner Dilip Kumar Gowala, Manju Gowala & Pradip Gowala are directed to appear before the trial court in respect of PRC Case No. 107/2026 within next 10 (ten) days from today. On their appearance, they shall be released on bail of ₹20,000/- each with sureties of like amount to the satisfaction of the learned Chief Judicial Magistrate, Chubri.

9. The petitioners shall regularly appear before the trial court on each and every date of hearing. If they fail to do so, without showing sufficient reasons, the trial court

shall be at liberty to procure their attendance in accordance with the procedures as laid by law.

With the aforesaid direction, the criminal petition stands disposed of accordingly.

JUDGE

Comparing Assistant