GAHC010227252026

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

Case No. : AB/2618/2026

JAYDUL HUSSAIN
S/O TERAB ALI, R/O VILL DOLUGANG, PS RAMKRISHNA NAGAR, DIST SRIBHUMI, (KARIMGANJ), ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR H R A CHOUDHURY, J M SULAIMAN

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 13.10.2026

Heard Mr. J M Sulaiman, the learned counsel appearing for the petitioner. Also heard Mr. R R Kaushik, learned Additional Public Prosecutor appearing for the State of Assam.

2. This is an application under Section 482 of the BNSS, 2023 in respect of PRC Case No.199/2026 (corresponding to G.R.Case No.86/2026) pending in the Court of the learned Judicial Magistrate 1st Class, Hailakandi.

3. The petitioner has been shown as an absconder in the charge sheet. He now

apprehends that if he appears before the Court of the learned Judicial Magistrate 1st Class, Hailakandi, he will be remanded to judicial custody because this Court has no jurisdiction to entertain his bail application.

4. The learned counsel submits that the petitioner wants to contest the case and therefore, he should be given adequate opportunities to that effect.

5 Mr. Kaushik submits that the scanned copy of the trial court records has been called for.

6. I have considered the submissions made by the learned counsel of both sides. I have also gone through the FIR.

7. This Court is of the opinion that since the petitioner wants to contest the case, he should be given adequate opportunities to that effect. The prayer of the petitioner is allowed accordingly.

8. The petitioner **Sri Jaydul Hussain** is directed to appear before the Court of the learned Judicial Magistrate 1st Class, Hailakandi in connection with PRC Case No.199/2026 within next 15 (fifteen) days from today. On his appearance, he shall be released on bail of ₹25,000/- (Rupees Twenty Five Thousand) with a surety of like amount to the satisfaction of the learned Judicial Magistrate 1st Class, Hailakandi.

9. The petitioner shall regularly appear before the trial court on each and every date of hearing. If he fails to do so, the trial court shall have the liberty to procure his attendance in accordance with the procedures as laid down by law.

10. With the aforesaid direction, the bail application is disposed of.

JUDGE

Comparing Assistant